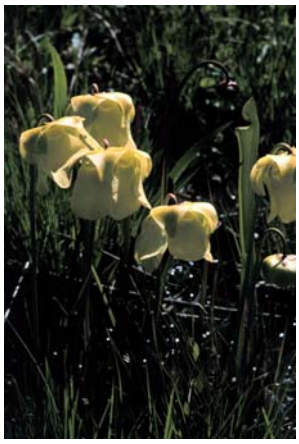
Final Evaluation Findings

Alabama Coastal Area Management Program
November 1999 – November 2003

Weeks Bay National Estuarine Research Reserve
March 1999 – November 2003



Office of Ocean and Coastal Resource Management
National Ocean Service
National Oceanic and Atmospheric Administration

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I. EXECUTIVE SUMMARY

A. OVERVIEW

The Coastal Zone Management Act (CZMA) of 1972, as amended, established both the National Coastal Zone Management Program and the National Estuarine Research Reserve System. Sections 312 and 315 of the CZMA require the National Oceanic and Atmospheric Administration (NOAA) to conduct periodic performance reviews or evaluations of all federally approved Coastal Management Programs (CMP) and National Estuarine Research Reserves (NERR). The review described in this document examined the operation and management of the Alabama Coastal Area Management Program (ACAMP) during the period of November 1999 through November 2003 and of the Weeks Bay National Estuarine Research Reserve (WBNERR) during the period of March 1999 through November 2003. ACAMP and WBNERR are administered by the Alabama Department of Conservation and Natural Resources' (ADCNR) State Lands Division.

This document describes the evaluation findings of the Director of NOAA's Office of Ocean and Coastal Resource Management with respect to ACAMP and WBNERR during the review periods. The fundamental conclusion of these findings is that ADCNR is successfully implementing and enforcing its federally approved CMP and NERR. The recommendations made by this evaluation follow the relevant section of findings. Two types of recommendations are possible: (1) Necessary Actions address programmatic requirements and *must* be implemented by the indicated date; and (2) Program Suggestions describe actions that NOAA believes ADCNR should take to improve the program but that are not currently mandatory. Program Suggestions that are reiterated in consecutive evaluations due to continuing problems may be elevated to Necessary Actions. If no dates are indicated, ADCNR is expected to address the recommendations by the time of the next evaluation. This document contains eight Program Suggestions and no Necessary Actions. NOAA will consider the findings made by this evaluation when making future financial award decisions regarding ACAMP and WBNERR.

B. SUMMARY OF ACCOMPLISHMENTS

The evaluation team documented a number of ACAMP's and WBNERR's accomplishments during the review period. These include:

Program	Issue Area	Accomplishment
ACAMP	Staff	During the review period, ACAMP made progress in staffing by hiring an Education and Outreach Coordinator and a resource planner. State full-time employees compose the majority of coastal program staff.

ACAMP	Coordination with Partners	ACAMP has improved internal program coordination between the Alabama Department of Conservation and Natural Resources and the Alabama Department of Environmental Management and external coordination with coastal organizations and institutions.
ACAMP	U.S. Army Corps of Engineers	ACAMP played a critical role in the development of the U.S. Army Corps of Engineers Regional Sediment Management Demonstration Program and in the successful beneficial disposal of dredged material at Perdido Pass.
ACAMP	Community Resources Initiative Grant Program	ACAMP developed the Community Resources Initiative Grant Program, which supports local coastal management efforts and increases coordination among state and local governments.
ACAMP	Local Implementation Mechanisms	ACAMP provides excellent support for local planning efforts.
ACAMP	Local Government Contracts	ACAMP has strong working relationships with coastal cities such as Gulf Shores and Orange Beach. This close coordination enhances the enforcement of Division Eight Coastal Regulations.
ACAMP	Education and Outreach	ACAMP has developed a strong education and outreach component. ACAMP uses a variety of media as well as personal contact to educate and inform the public about Alabama's coastal resources. ACAMP representatives regularly attend public events to improve awareness of coastal issues.
ACAMP	Public Access	ACAMP has consistently facilitated and supported strong local projects that promote and improve public access to Alabama's coastal waters.
ACAMP	Coastal Nonpoint Program	ACAMP has worked intensively to improve the Alabama Coastal Nonpoint Pollution Control Program during the review period and has made significant progress. ACAMP's accomplishments in this area include devoting increased staff time to the program, submitting the final program to NOAA and the Environmental Protection Agency, developing the program's five-year and 15-year strategies, developing the clean marina program, revising the best management practices manual, updating and continuing the coastal watershed study program, supporting the Nonpoint Source Pollution Resources Matrix and providing technical assistance to local governments.

WBNERR	Staff	During the review period, WBNERR made progress in staffing by hiring a Research Coordinator, research assistant, Geographic Information Systems technician and laborer. State employees compose the majority of reserve staff.
WBNERR	Advisory Committee	WBNERR has a strong Advisory Committee composed of dedicated members with a wide range of expertise. The Advisory Committee plays an important role in furthering the reserve's mission and increasing its visibility.
WBNERR	Management Plan	WBNERR has contracted with the South Alabama Regional Planning Commission to produce the required five year update to its current management plan. The revision process has been timely, thorough and well organized. NOAA expects that this process will result in a high quality management plan to guide WBNERR's operations and programs for the next five years.
WBNERR	Facilities	WBNERR significantly renovated and upgraded its facilities during the review period.
WBNERR	Land Acquisition	WBNERR and the Weeks Bay Reserve Foundation have developed a strong land identification and prioritization program.
WBNERR	Research and Monitoring Program Visibility	WBNERR's Research and Monitoring Program has become institutionalized and has increased its visibility. Consequently, the program has witnessed a significant increase in visiting researchers and the number of research projects conducted at the reserve.
WBNERR	Site Profile	WBNERR's Research and Monitoring Program has completed important enhancements to its site profile. The final document is well written and comprehensive.
WBNERR	Coastal Training Program	WBNERR's Education and Outreach Program has an effective partnership with the South Alabama Regional Planning Commission and has made strong progress on the Coastal Training Program.
WBNERR	Restoration Program	WBNERR's Stewardship Program has successfully restored 20 acres of a rare pitcher plant bog.
WBNERR	Weeks Bay Watershed Project	WBNERR's Stewardship Program has successfully sponsored the Weeks Bay Watershed Project, a strong, scientifically-based and dynamic effort to address local water quality issues of concern. The project also is well coordinated with WBNERR's core programs.
WBNERR	Volunteer Program	WBNERR's Volunteer Program has successfully recruited and retained a strong core of volunteers that provides critical support to each of the reserve's programs.

ACAMP WBNERR	Staff	ACAMP and WBNERR have outstanding, dedicated staff that are critical to both programs' success.
ACAMP WBNERR	Finance	The Alabama Department of Conservation and Natural Resources has granted small purchases capability to both ACAMP and WBNERR.
ACAMP WBNERR	Partnerships	ACAMP and WBNERR regularly engage in many diverse partnerships. The programs successfully coordinate with federal, state, local, academic and private agencies and organizations.
ACAMP WBNERR	Education and Outreach	ACAMP and WBNERR have employed innovative methods to improve education and outreach during the review period.

C. SUMMARY OF RECOMMENDATIONS

In addition to the accomplishments listed above, the evaluation team identified several areas where the two programs could be strengthened. Recommendations are in the form of Program Suggestions. There are no Necessary Actions. Areas for program improvement include:

Program	#	Program Suggestion
ACAMP	1	NOAA encourages ACAMP to proceed with the coastal program document update as soon as possible.
ACAMP	2	NOAA strongly encourages the Alabama Department of Conservation and Natural Resources and the Alabama Department of Environmental Management to engage in long range strategic planning and to document roles and relationships in order to facilitate interagency communication and coordination in ACAMP implementation.
ACAMP	3	NOAA strongly encourages ACAMP to continue to work with the U.S. Army Corps of Engineers to improve the federal consistency process so that project applicants are aware of the need for ACAMP review and federal consistency certification for regulated use projects. NOAA also strongly encourages ACAMP to continue to work with local governments to develop processes whereby federal consistency certification is efficiently incorporated into the local permitting process.
WBNERR	1	NOAA encourages WBNERR to continue to pursue conversion of contract employees to state employees, as practicable.
WBNERR	2	NOAA encourages WBNERR to strengthen coordination with the Weeks Bay Reserve Foundation in order to increase the emphasis on promoting the reserve.

ACAMP WBNERR	1	NOAA encourages the Alabama Department of Conservation and Natural Resources to provide training in agency procedures to ACAMP and WBNERR staff. NOAA also encourages ACAMP and WBNERR to work with all points along the Department's chain of command so that there is a consistent and clear understanding of the scope, mission and unique features of each program.
ACAMP WBNERR	2	NOAA strongly encourages ACAMP and WBNERR to address issues hampering the timely completion of grant tasks as soon as possible.
ACAMP WBNERR	3	NOAA strongly encourages ACAMP and WBNERR to place a stronger emphasis on communication and coordination regarding permitting issues. ACAMP and WBNERR should work closely with the U.S. Army Corps of Engineers to ensure that the reserve's special area management guidelines are incorporated in the next round of the Corps' General Permits. NOAA also strongly encourages the Alabama Department of Conservation and Natural Resources, ACAMP and WBNERR to improve follow-up and feedback regarding program comments on permit applications.

II. PROGRAM REVIEW PROCEDURES

A. OVERVIEW

The National Oceanic and Atmospheric Administration (NOAA) began its review of the Alabama Coastal Area Management Program (ACAMP) and the Weeks Bay National Estuarine Research Reserve (WBNERR) in September 2003. The evaluation process involves four distinct components:

- An initial document review and identification of specific issues of particular concern;
- A site visit to Alabama including interviews and public meetings;
- Development of draft evaluation findings; and
- Preparation of the final evaluation findings, partly based on comments from the state regarding the content and timetables of recommendations specified in the draft document.

B. DOCUMENT REVIEW AND ISSUE DEVELOPMENT

The evaluation team reviewed a wide variety of documents prior to the site visit, including: (1) federally approved Environmental Impact Statements and program documents; (2) financial assistance awards and work products; (3) semi-annual performance reports; (4) official correspondence; (5) previous evaluation findings; and (6) relevant publications on natural resource management issues in Alabama.

Based on this review and on discussions with NOAA's Office of Ocean and Coastal Resource Management's (OCRM) Coastal Programs Division and Estuarine Reserves Division, the evaluation team identified the following priority issues:

- Major accomplishments of both ACAMP and WBNERR during the review period;

- The manner in which ACAMP and WBNERR coordinate with one another and meet individual program goals, as well as how they coordinate with other federal, state, and local agencies and programs;

- The status of both ACAMP and WBNERR grant tasks and reporting;

- The visibility of both ACAMP's and WBNERR's programs;

- The manner in which ACAMP is advancing the goals of the Coastal Zone Management Act set out in §303(2);

- The effectiveness of ACAMP in permitting, monitoring and enforcing the core authorities that form the legal basis of the program;

- The implementation of state and federal consistency authority;
- The manner in which ACAMP is monitoring, reporting and submitting program changes;
- The manner in which ACAMP provides technical assistance to local governments on coastal issues;
- The status of public access opportunities in the coastal zone;
- The status of WBNERR facilities, land acquisition projects and resource management;
- The status and effectiveness of WBNERR staffing and programs, and participation in national research, monitoring and education programs;
- The status of WBNERR's management plan revision;
- The role of WBNERR at the local level as well as its integration with partners;
- The manner in which ACAMP has addressed the recommendations contained in the §312 evaluation findings released in 2000, and the manner in which WBNERR has addressed the recommendations contained in the §312 evaluation findings released in 1999.

C. SITE VISIT TO ALABAMA

Notification of the scheduled evaluation was sent to the Alabama Department of Conservation and Natural Resources (ADCNR), the Alabama Department of Environmental Management (ADEM), ACAMP, WBNERR, relevant federal environmental agencies, Alabama's congressional delegation and regional newspapers. In addition, a notice of NOAA's "Intent to Evaluate" was published in the *Federal Register* on October 23, 2003.

The site visit to Alabama was conducted on December 7-12, 2003. Ms. Rosemarie McKeeby, Evaluation Team Leader, OCRM National Policy and Evaluation Division; Ms. Elizabeth Mountz, ACAMP Program Specialist, OCRM Coastal Programs Division; Ms. Erica Seiden, WBNERR Program Specialist, OCRM Estuarine Reserves Division; Ms. Susan Love, Resource Planner and Federal Consistency Coordinator, Delaware Coastal Management Program; and Mr. Lee Edmiston, Research Coordinator, Apalachicola National Estuarine Research Reserve (Florida), formed the evaluation team.

During the site visit, the evaluation team interviewed ACAMP and WBNERR staff, senior ADCNR, ADEM and other state officials, federal agency representatives, coastal researchers, environmental educators, civic group representatives and private citizens. Appendix B lists people and institutions contacted during this review.

As required by the Coastal Zone Management Act, NOAA held public meetings during the evaluation to provide an opportunity for the public to comment on ACAMP and WBNERR. The ACAMP public meeting was held on December 10, 2003, at 6:00 p.m., at the International Trade Center, Mobile. The WBNERR public meeting was held December 11, 2003, at 5:00 p.m., at the WBNERR Interpretive Center, Fairhope. The public meetings gave members of the general public the opportunity to express their opinions about the overall operation and management of ACAMP and WBNERR. Appendix C lists individuals who registered at the meeting.

The crucial support of ACAMP and WBNERR staff with the site visit's logistics and planning is gratefully acknowledged.

III. THE ALABAMA COASTAL AREA MANAGEMENT PROGRAM

A. COASTAL AREA DESCRIPTION

Coastal Alabama is characterized by four important habitats: (1) the Mobile-Tensaw River Delta, (2) Mobile Bay, (3) barrier islands and (4) the northern Gulf of Mexico.

At 10 miles wide and 40 miles long, the Mobile-Tensaw River Delta is the largest wetland in Alabama and the second largest river delta in the nation. The delta was formed by soil deposition from the Coosa, Tallapoosa, Black Warrior, Tombigbee and Alabama Rivers. The Mobile-Tensaw River Delta includes 250,000 acres of marsh, cypress tupelo swamp and bottomland hardwoods. The delta filters approximately 20 percent of the country's fresh water.

The fourth largest estuary in the nation, Mobile Bay encompasses 413 square miles. It is approximately 31 miles long and has a maximum width of 24 miles. Mobile Bay is a shallow estuary that provides a transition between the fresh water wetlands of the Mobile-Tensaw River Delta and the marine environment of the Gulf of Mexico. One of Mobile Bay's primary functions is as a nursery ground for many commercially and recreationally valuable species.

Alabama's main barrier island is Dauphin Island, which is 17 miles long and less than one mile wide. Alabama's barrier island habitats include sandy beaches, dune systems and maritime forests. The major function of barrier islands is to protect the mainland and estuarine habitats from storm related wind and wave energy.

The Gulf of Mexico is the ninth largest body of water in North America with approximately 3,000 miles of shoreline and a total area of 600,000 square miles. Fresh water from large portions of the United States, Canada, Mexico and Guatemala drains into the Gulf. Half of the country's wetlands are found in the Gulf of Mexico, which provides critical habitats for three-quarters of the nation's migratory waterfowl. Additionally, the Gulf supports a multi-billion dollar seafood industry. It also provides the majority of the oil and gas produced in the United States.

B. PROGRAM DESCRIPTION

The National Oceanic and Atmospheric Administration (NOAA) approved the Alabama Coastal Area Management Program (ACAMP) in 1979. ACAMP is based primarily on the Alabama Coastal Area Act of 1976, which mandated the establishment of a comprehensive coastal management program and established a coastal zone boundary. The coastal zone extends from the continuous 10-foot contour to the limit of the state's territorial waters three miles offshore. This area is composed of the coastal areas of Mobile and Baldwin counties, including Mobile Bay, the Mobile-Tensaw River Delta, Dauphin Island and the Gulf Shores/Fort Morgan Peninsula.

The Coastal Area Act convened the Coastal Area Board (CAB), an independent state agency, and made it responsible for developing and implementing a management program for the Alabama coastal area. The CAB comprised four state officials, four local officials and one citizen. It had the authority to review all uses with a direct and significant impact on the coastal area to determine whether those uses were consistent with the policies, rules and regulations of ACAMP.

In 1982, the state legislature passed the "Alabama Environmental Management Act," which dissolved the CAB and transferred coastal management authority to the Alabama Department of Economic and Community Affairs (ADECA) and the newly created Alabama Department of Environmental Management (ADEM). Under the new law, ADECA was granted the policy, planning, administrative and public education functions of the program, while ADEM was granted the regulatory, permitting and enforcement functions. ADECA was designated as the lead coastal management agency.

In 2000, the Alabama Department of Conservation and Natural Resources (ADCNR) assumed primary administrative responsibility for ACAMP. ADCNR has jurisdiction over state lands and is responsible for protecting and conserving wildlife and marine resources and for surveillance and enforcement. ADEM retains regulatory and permitting functions. ACAMP is positioned within the Coastal Section of ADCNR's State Lands Division.[1] The Coastal Section's position within ADCNR has several significant benefits, including: (1) all Coastal Section staff are now located on the coast; (2) state funding for the Coastal Section is secure outside of the General Fund and unused funds remain with the Coastal Section year after year; and (3) the combination of budgeting, accounts payable, inventory, account balancing, contracting, grant preparation and performance reporting functions results in increased efficiencies and greater control by the Coastal Section.

Uses subject to ACAMP have been divided into two categories: regulated and nonregulated. A regulated use has a direct and significant impact on the coastal area and requires a state permit or is required by federal law to be consistent with ACAMP. A use that necessitates a state permit must receive a certificate of compliance. A non-regulated use has a direct and significant impact on the coastal area but does not require a state permit or federal consistency certification. Examples of non-regulated uses include construction and other activities on Gulf beaches and dunes, commercial and residential development greater than five acres, groundwater extraction, shoreline stabilization and erosion mitigation. Non-regulated uses must be consistent with ACAMP and may or may not require local permits.

ACAMP coordinates all uses and plans affecting the coastal area with various federal and state agencies as well as with local governments to avoid duplication of permitting efforts. ADEM is responsible for much of this coordination, which is achieved through memoranda of agreement, interagency reviews and contracts. ADEM's regulatory and permitting responsibilities include review of outer continental shelf oil and gas drilling

[1] WBNERR is also located in the Coastal Section of ADCNR's State Lands Division.

permits and U.S. Army Corps of Engineers (USACE) permits for dredging and filling. ADEM also has oversight of non-regulated uses and review of other state permits. ADEM has direct permit authority for air and water quality, solid waste, hazardous waste, industrial waste and water supplies.

Local governments may participate in ACAMP by developing local codes, regulations, rules, ordinances, plans, maps, or another means to issue permits or licenses for non-regulated activities that have direct and significant impacts on the coastal area. If these instruments are certified consistent with ACAMP, ADEM may allow the local government to administer them by delegating its beach and dune permit authority, thereby eliminating the need for ADEM to review each case individually.

C. REVIEW FINDINGS, ACCOMPLISHMENTS AND RECOMMENDATIONS

1. STAFF

ACAMP staff are responsible for the implementation of the coastal program. The majority of ACAMP positions are filled by state employees. During the review period, ACAMP made progress in its staffing by hiring an Education and Outreach Coordinator. ACAMP also filled one of two vacant resource planner positions.[2] NOAA is pleased that ACAMP has filled two of three vacant positions and that the majority of coastal program staff is comprised of state employees.

ACCOMPLISHMENT: During the review period, ACAMP made progress in staffing by hiring an Education and Outreach Coordinator and a resource planner. State full-time employees compose the majority of coastal program staff.

2. PROGRAM DOCUMENT REVISION

One function of an evaluation is to determine whether changes have occurred in the coastal program document during the review period and whether those changes have been submitted to NOAA for processing as program amendments or routine program changes (RPCs). NOAA regulations define amendments as substantial changes in one or more of the following coastal program areas: (1) uses subject to management, (2) special management areas, (3) boundaries, (4) authorities and organization and (5) coordination, public involvement and the national interest. An RPC is a further detailing of a state's coastal program that does not result in substantial change to the program.

ACAMP last updated its coastal program document in 1999. During the review period, ACAMP planned to revise the 1999 document by:

- Compiling information on local, regional and state plans and programs, including the ADEM Division Eight Coastal Regulations, the Mobile Bay National Estuary Program (MBNEP) Comprehensive Conservation and Management Plan, the

[2] Following the evaluation site visit, ACAMP filled the second vacant resource planner position.

Alabama Coastal Public Access Management Plan and the Alabama Coastal Counties Wetland Conservation Plan, for review in relation to the current coastal program document;
- Finalizing recommendations for changes that reflect coordination with these plans and programs;
- Gathering recent demographic and other data as necessary;
- Producing a draft revised coastal program document with consideration to comments from the Technical Interagency Committee and the Coastal Resources Advisory Committee (CRAC);
- Sending the draft document through the appropriate state approval process;
- Preparing the draft document for distribution to and comment by the general public;
- Finalizing the document; and
- Submitting the document to NOAA for final approval.

Unfortunately, ACAMP was unable to realize its program document revision goals due to staffing limitations. NOAA realizes that updating a coastal program document is a staff and time intensive task. However, given that the coastal program document provides for the management of coastal resources in the defined Alabama Coastal Area, it is important to keep the document as current as possible. NOAA encourages ACAMP to proceed with the coastal program document update as soon as possible.

ACAMP #1 – PROGRAM SUGGESTION: NOAA encourages ACAMP to proceed with the coastal program document update as soon as possible.

3. COORDINATION WITH PARTNERS

As described in §III-B of these findings, the Coastal Section's position within ADCNR has led to significant benefits. One important benefit for ACAMP that has resulted from the location of coastal program staff on the coast is improved coordination both within the program and with a variety of external partners. Through cooperative ventures with federal, state, municipal, academic and private agencies and organizations, ACAMP has provided direction and leveraged funding for many projects addressing priority coastal issues. NOAA applauds ACAMP's efforts to improve coordination both internally and externally and encourages it to continue such efforts.

ACCOMPLISHMENT: ACAMP has improved internal program coordination between ADCNR and ADEM and external coordination with coastal organizations and institutions.

Several examples of ACAMP's coordination efforts are described below.

a. Alabama Department of Environmental Management (ADEM)

While ADCNR is the designated lead for ACAMP, the structure and implementation of the program is clearly a network that relies upon both ADCNR and ADEM for successful implementation. The evaluation team was pleased to note that program coordination with ADEM has improved since ADCNR became the lead agency for ACAMP. Primary areas of coordination include technical and regulatory aspects of program operations and the Alabama Coastal Nonpoint Pollution Control Program (ACNPCP). Many of ACAMP's accomplishments during the review period are attributable to a strong working relationship between ADCNR and ADEM staff. NOAA commends ADCNR and ADEM for working together closely to implement ACAMP. However, NOAA recognizes that coordination based primarily on a strong working relationship among staff can be tenuous. For example, if staff should retire or otherwise leave the agency, there is no guarantee that communication and coordination will remain unchanged when new staff are hired. Given that, at the time of the evaluation site visit, several ADEM staff had just left or were planning to leave the agency, it would be beneficial for ADCNR and ADEM to engage in long range strategic planning and to document roles and relationships in order to facilitate interagency communication and coordination in ACAMP implementation.

ACAMP #2 – PROGRAM SUGGESTION: NOAA strongly encourages ADCNR and ADEM to engage in long range strategic planning and to document roles and relationships in order to facilitate interagency communication and coordination in ACAMP implementation.

b. U.S. Army Corps of Engineers (USACE)

ACAMP regularly meets with USACE to facilitate program coordination. A good example of a joint ACAMP and USACE effort is the development of the Regional Sediment Management Demonstration Program and the resultant beneficial use of dredged material from Perdido Pass. The Regional Sediment Demonstration Program assesses the benefits of managing sediment as a regional resource rather than a localized project resource. The program emphasizes regional resource management rather than individual project management. Program objectives include: (1) implementing regional sediment management practices; (2) improving economic performance by linking projects; (3) developing new engineering techniques to conserve sediment; (4) identifying bureaucratic obstacles to regional sediment management; and (5) managing in an environmentally sensitive manner.

The program's Technical Working Group, composed of representatives from federal and state government and academia, identified Perdido Pass as a prime project for regional sediment management. The goal of the Perdido Pass Project was to beneficially dispose of dredged material to keep sand in the littoral cell but out of the navigation channel. A number of challenges arose with project implementation, including difficulty obtaining easements to place dredged material where it would have the greatest benefit. As obstacles emerged, USACE worked with ACAMP and other stakeholders to resolve

them. In the end, the project was successful and all participants learned valuable lessons about how best to implement regional sediment management. NOAA applauds ACAMP's contributions to the Regional Sediment Management Demonstration Program and the Perdido Pass Project.

ACCOMPLISHMENT: ACAMP played a critical role in the development of USACE's Regional Sediment Management Demonstration Program and in the successful beneficial disposal of dredged material at Perdido Pass.

c. Dauphin Island Sea Lab (DISL)

ACAMP enters into agreements with various agencies for technical assistance and expertise related to coastal management issues. These agreements provide ACAMP staff with access to coastal management experts in many fields. DISL is one such partner that regularly provides technical assistance to ACAMP. The lab was founded by the Alabama State Legislature in 1971 and is one of the state's primary marine education and research centers. DISL is the home of the Marine Environmental Sciences Consortium and offers local government, industry and agency decision-makers a range of coastal zone management services.

For example, DISL conducts local government planner work sessions at scheduled meetings of the Alabama Planning Association's Gulf Coast Chapter. The sessions are used as a forum to recommend measures that will assist urban and county planners to organize continuing education workshops that provide local governments with tools to incorporate ordinances and regulations that promote ACAMP goals. The sessions also foster discussion of coastal issues of interest to local governments.

DISL also teaches a curriculum that includes implementation of the Coastal Alabama Nonpoint Education for Municipal Officials Project. The curriculum provides assistance with: (1) improving local government ordinances; (2) developing or improving local government best management practices (BMP) manuals; (3) conducting specific, advanced level learning workshops; and (4) improving coordination and integration of state programs designed to address coastal nonpoint source problems with special emphasis on implementation of the ACNPCP.

d. South Alabama Regional Planning Commission (SARPC)

SARPC also provides regular technical assistance to ACAMP. SARPC is one of twelve regional commissions established by the Alabama State Legislature in 1969. The commission is an instrument of local government that is locally organized and controlled. SARPC serves its member governments through communication, planning, policymaking, coordination, advocacy and technical assistance. It also provides a forum for member government representatives to discuss and resolve common problems.

A primary example of the type of technical assistance that SARPC provides to ACAMP is federal consistency review. SARPC acts as the Intergovernmental Review

Clearinghouse for Mobile and Baldwin counties by conducting federal consistency reviews for ACAMP. To ensure full cooperation with federal and state agencies, local governments and other interested parties, SARPC receives notification of intent from appropriate federal agencies and notifies ADCNR and ADEM. Applicants certify that the federal action is consistent to the maximum extent practicable with ACAMP, which in turn issues federal consistency concurrence or objections in accordance with the state review process. SARPC also notifies the public of consistency determinations submitted by federal agencies.

e. Mobile Bay National Estuary Program (MBNEP)

ACAMP cooperates with MBNEP on a variety of coastal issues. The National Estuary Program was established by amendments to the Clean Water Act, and the program is administered through the Environmental Protection Agency, which designated Mobile Bay a National Estuary in 1995. MBNEP's charge is to facilitate a blueprint for conserving the estuary. To do so, MBNEP developed a Comprehensive Conservation Management Plan, which it is now implementing in conjunction with ACAMP and other stakeholders.

One of the issues that ACAMP and MBNEP coordinate on is nonpoint source pollution control. For example, ACAMP contracted with MBNEP to organize and conduct a variety of workshops focusing on stream bank restoration as it relates to fluvial geomorphology, assessment and feasibility of restoration, hydrology, erosion and sediment control, and alternative uses for stormwater. The purpose of the workshops, a component of ACNPCP, is to expand local knowledge of natural channel design techniques and tools as well as alternatives for stream modification and restoration. Target audiences include local city, county, state and federal employees and private sector engineers and designers engaged in stream bank restoration activities.

4. SUPPORT TO LOCAL GOVERNMENTS

One of ACAMP's strengths is its support to and coordination with local governments. In order to conduct policy and planning activities efficiently, ACAMP meets with local governments about coastal issues, monitors city councils' agendas and attends relevant meetings. Two primary goals of ACAMP's coordination with local governments are: (1) to encourage the incorporation of ACAMP elements into local governments' comprehensive plans, and (2) to strengthen aspects of the program through development and implementation of local ordinances and subdivision regulations. NOAA commends ACAMP for its support to and coordination with local governments.

Several examples of ACAMP's support of local government planning efforts are described below.

a. Community Resources Initiative Grant Program (CRIG)

ACAMP has developed the CRIG, which makes grants available to local governments for coastal resource investment projects that protect, restore and enhance recreational, ecological, historical or coastal resources of state significance. Local governments submit project proposals that are carefully reviewed and selected based on merit. Grants require a 50 percent match and are available in the categories of interpretive signage, green spaces, coastal resource improvement and ACNPCP implementation. Interpretive signage projects are coordinated with both state and local governments and provide for standardization of signage at public access construction projects. Green spaces projects emphasize the importance of and encourage green space planning by local governments in order to mitigate cumulative and secondary impacts within Alabama's coastal area. Coastal resource improvement projects may address a variety of issues, including control of non-native and invasive species; re-introduction of native species through planting or promotion of natural succession; development of coastal watershed or ecosystem management plans; development of comprehensive plans, ordinances and strategies that promote ACAMP goals and objectives; and delivery of technical assistance, monitoring, assessments or engineering designs that address coastal hazards and shoreline analysis, cumulative and secondary impacts, wetlands and submerged lands, public access and special management planning. ACNPCP projects implement management measures such as ordinances, regulations or monitoring programs to control nonpoint source pollution. During the first year of CRIG, ACAMP supported six local projects, including the Fowl River Basin Fecal Coliform Bacterial Assessment in Mobile County and the City of Orange Beach's Wetlands Preservation Project to identify and inventory wetlands and wetland restoration opportunities within the city and to develop citywide mitigation protocols.

ACCOMPLISHMENT: ACAMP developed the CRIG, which supports local coastal management efforts and increases coordination among state and local governments.

b. Local Implementation Mechanisms (LIMS)

ACAMP facilitates a local implementation mechanisms approach for planning issues. This approach assists local governments to develop strategies that ensure the implementation of comprehensive management plans, ordinances and local regulations that are enforceable and compatible with ACAMP. At a minimum, local implementation mechanisms must meet the requirements of ADEM's Division Eight Coastal Regulations in order for localities to conduct a delegated beach and dune program. The LIMS approach is supported by close coordination between ACAMP staff and local government officials; ACAMP staff attend many city council, county commission, and city and county planning commission meetings and provide technical assistance as needed. As noted previously in this document, ACAMP also supports technical workshops for local planners and government officials through DISL and MBNEP.

During the evaluation period, ACAMP staff assisted the Eastern Shore Chamber of Commerce and the cities of Daphne, Spanish Fort and Fairhope in the development of a

uniform erosion control ordinance for all municipalities in Baldwin County. ACAMP also worked with the Baldwin County Planning and Highway Departments in the development of a countywide erosion control policy and procedures manual for county highway projects. Both of these projects supported the development and implementation of the ACNPCP.

ACCOMPLISHMENT: ACAMP provides excellent support for local planning efforts.

c. Local Government Contracts

During the review period, ACAMP contracted with the City of Gulf Shores, Baldwin County, the City of Orange Beach and the Town of Dauphin Island for services relating to construction and other activities that occur in or around Alabama's Gulf beaches and dunes. These contracts serve to: (1) maintain ACAMP involvement at the local level in the beach and dune permit program, (2) provide for more frequent monitoring of activities along beaches and dunes, and (3) support Gulf Shores' local program delegation. Under these contracts, local governments:

- Collect and review applications for building permits in accordance with ADEM's Division Eight Coastal Regulations and coordinate with ACAMP to discuss the applications and proposed projects;
- Provide personnel to monitor building activities and to police beaches and dunes for illegal vehicle traffic;
- Establish and maintain permit information centers within building inspection departments;
- Support ACAMP's efforts by reporting activities that impact wetlands; and
- Provide notices of subdivision applications for areas either within or intersecting the coastal area.

Additionally, ACAMP has delegated the administration of the local beach and dune program to the City of Gulf Shores. Under this delegation, the city:

- Conducts reviews for consistency of construction and other activities on Gulf beaches and dunes subject to regulation under ADEM's Division Eight Coastal Regulations;
- Monitors beach and dune areas for unauthorized construction and vehicle operation;
- Maintains signage at public access construction projects;
- Enforces Alabama statutes pertaining to the protection of sand dunes and sea oats;
- Maintains a permit information center at City Hall to provide information on activities regulated by city, county, state and federal agencies;
- Expedites building inspection services available in the Alabama Coastal Area to ensure that additions to structures, new structures and reconstruction are built according to relevant building and local codes as well as ADEM's Division Eight Coastal Regulations;

- Conducts training and continuing education programs for personnel on ACAMP issues;
- Conducts weekly beach and dune litter cleanups on all city beaches and assists with the Annual Alabama Coastal Cleanup and the Adopt-A-Beach program.

The City of Gulf Shores reports monthly on progress, and ACAMP regularly monitors the city's performance in implementing its delegated beach and dune program. At the end of the program year, ACAMP evaluates the city's compliance in a final report with recommendations. Additionally, ACAMP works with the city to develop and review coastal planning documents. ACAMP also assists Gulf Shores with planning, design and implementation of beach nourishment projects.

ACCOMPLISHMENT: ACAMP has strong working relationships with coastal cities such as Gulf Shores and Orange Beach. This close coordination enhances the enforcement of Division Eight Coastal Regulations.

5. PERMITTING, MONITORING AND ENFORCEMENT

In order to enforce ADEM's Division Eight Coastal Regulations, ACAMP processes permit applications for many non-regulated uses, such as groundwater withdrawal from wells in excess of 50 gallons per minute, construction on properties intersecting or seaward of the construction control line, developments greater than five acres in size and isolated wetlands. Often, the magnitude of proposed non-regulated use projects requires a substantial investment of ACAMP time and effort. Processing includes: (1) permit application review, (2) permit issuance, (3) monitoring, (4) enforcement, and (5) defense of appeals.

ADEM's Division Eight Coastal Regulations describe how to apply for non-regulated use permits and specify the required information in the application. ACAMP reviews all non-regulated use permit applications, including those reviewed by local government subcontractors, to ensure that projects are consistent with regulations. Once all public and agency comments have been received and reviewed, project site inspections have been completed, public notice periods have expired, and subcontractor recommendations have been considered, ACAMP recommends a permit action: permitting as proposed, permitting with modifications or special conditions, or denial.

ACAMP staff and local government contractors monitor a subset of approved project sites to determine compliance with both the coastal program and the specific provisions and conditions of the permit. ACAMP's goal is to monitor at least ten percent of approved projects either during or after construction. ACAMP conducts enforcement of coastal use permit violations through standardized enforcement procedures that include issuing warning letters, notices of violation and administrative orders.

ADEM's Administrative Code stipulates that any administrative action of the department may be appealed to the ADEM Environmental Management Commission for review. Such appeals often result from ACAMP's enforcement of coastal use permit conditions.

Once the Commission has received notice of the appeal, a hearing officer is appointed and a formal hearing is held. The department is bound to carry out the final decision of the Commission.

6. FEDERAL CONSISTENCY

As described in §III-B, regulated uses are those that require federal or state permits and could result in a significant impact to coastal resources. Such activities include those that require USACE §10 and §404 permits, Minerals Management Service outer continental shelf permits, Federal Energy Regulatory Commission permits, federal wastewater discharge permits, federal air emissions permits, Alabama Oil and Gas Board permits, federal navigation projects, and flood prevention and beach restoration projects. In order to implement ADEM's Division Eight Coastal Regulations, ACAMP must provide a consistency review for regulated use projects. Consistency review includes: (1) permit application processing, (2) public notice preparation, (3) consistency certification and permit decision-making, (4) monitoring, (5) enforcement, and (6) defense of appeals.

ADEM's Division Eight Coastal Regulations describe how to apply for regulated use permits and specify the required information in the application. ACAMP reviews all regulated use permit applications to ensure that projects are consistent with the program. Once all public and agency comments have been received and reviewed, project site inspections have been completed and public notice periods have expired, ACAMP makes a consistency certification recommendation: certification as proposed, certification with modifications or special conditions, or non-concurrence. Of particular concern are biological resources that are protected through mechanisms such as wetland mitigation and discharge information zone requirements for monitoring major point source discharge impacts in the Alabama Coastal Area.

ACAMP monitors selected projects for compliance with certification conditions. Activities that receive the most monitoring attention are those involving wetlands, channel dredging and dredged material disposal. Staff monitor at least ten percent of approved projects either during or after construction.

ACAMP pursues enforcement actions for violations of regulated use certifications. Such violations are usually identified either by a monitoring inspection conducted by ACAMP or by a complaint filed with ACAMP. When a violation is confirmed, ACAMP makes the necessary contacts with the permitting authority involved and transfers the matter to it for enforcement action. ACAMP can withdraw certification of a project if satisfactory resolution between the permitting authority and the violator is not achieved.

ADEM's Administrative Code stipulates that any administrative action of the department may be appealed to the ADEM Environmental Management Commission for review and the federal consistency provisions provide for appeal to the Secretary of the U.S. Department of Commerce. Once the Commission has received notice of the appeal, a hearing officer is appointed and a formal hearing is held. The department is bound to carry out the final decision of the Commission.

According to the process described above, projects requiring an individual permit from USACE should be reviewed concurrently by both USACE and ACAMP. However, during the evaluation site visit, it became clear to the evaluation team that USACE often issues permits prior to applicants receiving federal consistency certification from ACAMP. In the past, ACAMP has not always received notice about these projects, and in some cases, the applicant has proceeded with the project without consistency certification. Local governments that have been delegated beach and dune permitting authority will not issue local permits if federal consistency requirements have not been met. Unfortunately, in unincorporated areas of the coastal zone, ACAMP has limited opportunities to "catch" projects that have not received consistency certification. In certain cases, ACAMP does not have efficient state mechanisms to ensure compliance when the applicant has already proceeded with the project. NOAA strongly encourages ACAMP to continue to work with both USACE and local governments to resolve such federal consistency issues.

ACAMP #3 – PROGRAM SUGGESTION: NOAA strongly encourages ACAMP to continue to work with USACE to improve the federal consistency process so that project applicants are aware of the need for ACAMP review and federal consistency certification for regulated use projects. NOAA also strongly encourages ACAMP to continue to work with local governments to develop processes whereby federal consistency certification is efficiently incorporated into the local permitting process.

7. EDUCATION AND OUTREACH

Recognizing that citizen involvement is critical to the protection of Alabama's coastal resources, ACAMP has developed a very strong education and outreach component. ACAMP uses a wide variety of methods to foster increased public participation through heightened awareness of coastal issues. NOAA congratulates ACAMP on its excellent education and outreach efforts.

ACCOMPLISHMENT: ACAMP has developed a strong education and outreach component. ACAMP uses a variety of media as well as personal contact to educate and inform the public about Alabama's coastal resources. ACAMP representatives regularly attend public events to improve awareness of coastal issues.

Several examples of ACAMP's innovative education and outreach work are described below.

a. Publications

ACAMP produces several types of outreach publications. *Alabama's Current Connection* is the quarterly newsletter of the Coastal Section and MBNEP. The newsletter is distributed to the general public, other government agencies and nonprofit organizations. ACAMP coordinates with the Alabama Bureau of Tourism and Travel to create a periodic calendar highlighting coastal environmental events that is provided to

the general public. The Annual Research Roundup is a bibliography of research conducted in the Alabama Coastal Area. It is circulated to area researchers and made available to the general public upon request. ACAMP also prepares and distributes, as needed, educational white papers on prevailing coastal issues in Alabama. White papers are given to the general public, government agencies, K-12 students and nonprofit organizations as appropriate based on content.

b. Meetings

ACAMP facilitates the quarterly meetings of the Coastal Public Outreach Task Force, which coordinates agencies' and organizations' outreach efforts and encourages information sharing. The task force is composed of representatives from nonprofit organizations, citizens' groups, private industry, academic institutions and local, state and federal government. It sponsors Coastweeks activities and is acknowledged as the only venue for environmental outreach and public affairs coordination in the Alabama Coastal Area. Task force efforts focus primarily on the general public.

Annually, ACAMP also conducts at least two meetings of the CRAC, which is the vehicle for the public's formal participation in ACAMP. CRAC membership is legislatively defined and is composed of representatives of specific agencies and citizens appointed by the Governor of Alabama. CRAC meetings provide a forum for: (1) informing and educating the membership on coastal area issues and ongoing coastal program activities; (2) eliciting thoughtful discussion on current practices; and (3) obtaining advice and input.

c. Marine Debris Monitoring

ACAMP actively participates in a marine debris monitoring project that has five components:

- Adopt-a-Beach Program
- Clean Boaters' and Anglers' Pledge Program
- Annual Alabama Coastal Cleanup
- National Marine Debris Monitoring Program
- Annual Bay Area Earth Day Celebration

The Alabama Adopt-A-Beach Program encourages volunteer groups to adopt a one-mile segment of beach and to schedule a cleanup of that segment at least three times annually. Some volunteer groups participate through their companies or nonprofit organizations, while others take part as a family or neighborhood.

The Clean Boaters' and Anglers' Pledge Program encourages waterway users to pledge in writing to refrain from dumping in coastal waters. ACAMP has expanded the program to incorporate the recreational boater use management measures of ACNPCP. The program educates boaters about controlling litter, avoiding sensitive aquatic habitats such as submerged grassbeds and oyster reefs, and minimizing wakes in shoreline erosion

areas. ACAMP promotes the program though its local, state and federal partnerships, as well as area marinas, boat stores and public events.

ACAMP's largest public participation project, the Annual Alabama Coastal Cleanup, is held in conjunction with the Ocean Conservancy's International Coastal Cleanup. This project involves: (1) work with local citizens' groups to help promote coastal resource stewardship; (2) increased mass media coverage of coastal issues through special events and issue-related news releases; and (3) outreach to schools, civic groups, industry and environmental organizations. Citizens who volunteer for the cleanup receive appreciation gifts, such as t-shirts or bags that are purchased with private donations from corporate sponsors.

The five-year National Marine Debris Monitoring Project is another of the Ocean Conservancy's projects. The monitoring project identifies ocean-based versus land-based debris found on participating beaches. Alabama's monitoring site is located on the Fort Morgan Peninsula.

ACAMP staffs displays and distributes outreach materials at the Annual Bay Area Earth Day, which draws between 3,000 and 4,000 participants. The event has many features, including: (1) displays of local art with an environmental theme; (2) birds from the University of Auburn's Raptor Center; (3) electronics recycling amnesty day; and (4) children's crafts with recycled materials.

d. Sustainable Tourism Initiative

ACAMP provided funding to the Alabama Gulf Coast Convention and Visitors' Bureau to develop a sustainable tourism initiative. This initiative has three components: (1) an identification of potential ecotourism enterprises; (2) a general assessment of the economic value of ecotourism; and (3) the promotion of the Clean Marinas, Green Hotels, Blue Wave Beaches and Coastal Corridor Programs. The Clean Marinas Program requires marina owners to adhere to BMPs that will help improve and maintain good water quality. The Green Hotels Initiative promotes water and energy saving measures. The Blue Wave Campaign promotes public awareness and voluntary participation in beach sustainability. The Coastal Corridor Program promotes the Alabama Coastal Area as a destination that emphasizes natural, historic and recreational assets and encourages coastal stewardship.

e. Sea Turtle Volunteer Program

ACAMP provides funding and staff support for the Alabama Sea Turtle Volunteer Program. The Alabama Gulf Coast Convention and Visitors' Bureau has developed education and outreach materials that present information about the sea turtle nesting season along Alabama's Gulf Coast and the volunteer program. Volunteers patrol the beaches to identify sea turtle crawls and nests. Nests are marked and monitored until the eggs hatch. Turtles are counted as they leave the nest and guided, as needed, to the Gulf. Depending on environmental conditions, eggs may be relocated to safer areas. The

program is coordinated with the U.S. Fish and Wildlife Service, Bon Secour National Wildlife Refuge and Friends of Bon Secour National Wildlife Refuge.

8. PUBLIC ACCESS

ACAMP consistently has emphasized the importance of public access to Alabama's coastal waters. This focus continued during the review period with ACAMP allocating ten percent of Coastal Zone Management Act §306 funding to public access projects. NOAA applauds ACAMP for its strong support of local public access projects.

ACCOMPLISHMENT: ACAMP has consistently facilitated and supported strong local projects that promote and improve public access to Alabama's coastal waters.

Several of the projects that ACAMP has supported to promote public access during the review period are described below.

a. Tensaw River Waterfront Handicapped Access

The Historic Blakely Authority enhanced an area that provides handicapped access to coastal waters within the Mobile-Tensaw River Delta. Significant aspects of the project included: (1) upgrading a parking area with a pad for handicapped vehicles; (2) improving the layout and quality of a graded wheelchair accessway from the parking area down a long incline to a raised boardwalk; and (3) enhancing a 1000-foot boardwalk, two fishing decks and four picnic decks. A handicapped person visiting this access area now can easily park a vehicle, get out of the vehicle, negotiate the way to the raised boardwalk, travel the length of the boardwalk, picnic and fish from the decks and return to the vehicle.

b. Bay Front Park Pier Access

The City of Daphne's enhancements at its Bay Front Park provide public access to Mobile Bay from the eastern shore. Improvements included: (1) constructing a 180-foot pier with a "T" at the end and a railing system along its entire length; (2) building concrete sidewalks and a headwall around and leading to the pier from an existing gazebo; (3) installing lighting and water fixtures, handrails and wooden benches; and (4) landscaping.

c. Sixth Street Public Beach Access

The City of Gulf Shores built a permanent restroom facility at its Sixth Street public access site, which provides direct access to the Gulf of Mexico. The site has a parking area, boardwalks, seating, beach shower, security lighting, signage and trash receptacles. Part of the existing parking area was used for the construction site in order to avoid impacts to the beach and dune area.

d. Harrison Park Access

The City of Orange Beach converted a half acre site for use as a public park which provides access to the back waters of the city's northern shore. Green building materials and methods were used to construct a fishing pier as well as a path to the pier, repair an existing fence, and improve parking. For example, a compacted crushed limestone base was used for parking and drive areas. Additionally, indigenous plant species were used in the landscaping, and signage explaining the significance of the vegetation was included.

9. COASTAL NONPOINT PROGRAM

Section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990 requires that each state with a federally approved coastal management program develop a coastal nonpoint source pollution control program. ACAMP submitted the ACNPCP as required in 1995. NOAA and the Environmental Protection Agency (EPA) identified a number of areas in ACNPCP that required further development and granted the program approval with conditions in 1998. During the review period, ACAMP devoted increased staff resources toward program revision, environmental outreach and technical assistance and made significant advances in removing and resolving program conditions. In July 2003, ACAMP submitted its final ACNPCP package and supporting documents to NOAA and EPA. In October 2003, ACAMP submitted the ACNPCP five-year and 15-year strategies. NOAA applauds ACAMP for its intensive work and considerable progress on the ACNPCP.

ACCOMPLISHMENT: ACAMP worked intensively to improve the ACNPCP during the review period and made significant progress. ACAMP's accomplishments in this area include devoting increased staff time to the program, submitting the final program to NOAA and EPA, developing the ACNPCP five-year and 15-year strategies, developing the clean marina program, revising the BMPs manual, updating and continuing the coastal watershed study program, supporting the Nonpoint Source Pollution Resources Matrix and providing technical assistance to local governments.

Examples of ACNPCP projects are described below.

a. Alabama Clean Marina Program

ACAMP contracted with the Mississippi-Alabama Sea Grant Consortium (MASGC) to develop a Clean Marina Program for Alabama in conjunction with ACNPCP. MASGC convened a Clean Marina Steering Committee composed of representatives of federal, state and local government as well as the marina industry to oversee program development. MASGC, ACAMP and the Steering Committee worked together to create clean marina program documentation and guidance materials, including a logo, pledge forms, self-evaluation checklists and suggested management measures. They also drafted a strategy for long-term program implementation that identifies funding needs and sources.

The Alabama Clean Marina Program is a voluntary, incentive-based initiative that encourages marina operators and recreational boaters to protect coastal water quality by engaging in environmentally sound operating and maintenance procedures. The Clean Marina Program offers information, guidance and technical assistance to marina operators, local governments and recreational boaters on best management practices that can be used to prevent or reduce pollution. Participating marinas are recognized for their environmental stewardship with a weatherproof Clean Marina flag to fly at their facility and authorization to use the Clean Marina Program logo on company publications. Clean Marinas are also recognized on the Alabama-Mississippi clean marina website,[3] through press releases and at public events. The Clean Marina Program also encourages the state's boaters to learn about and use clean boating techniques when operating and maintaining their boats.

b. Revised BMPs Manual

During the review period, ACAMP revised its *Best Management Practices for Nonpoint Source Runoff Control Manual*. The revised manual contains management measures relating to agriculture, silviculture, urban and other designated ACNPCP categories and addresses the program conditions. The revisions to the manual have created a more comprehensive version that is appropriate for wide distribution. The new manual is a useful tool that addresses important coastal nonpoint source pollution issues and offers applicable techniques to minimize nonpoint source pollution impacts.

c. Nonpoint Source Pollution Resources Matrix

ACAMP continues to facilitate and conduct quarterly meetings of the Coastal Alabama Nonpoint Source Resources Matrix. The Matrix is a forum that enhances ACNPCP administrative cooperation and coordination. Several local partners, including representatives of federal, state, county and local government organizations, regularly participate in the Matrix.

d. Technical Assistance to Local Governments

ACAMP regularly provides technical support to local governments on ACNPCP issues. For example, there has been a lack of reliable information about the location and condition of local septic systems. ACAMP provided funding, data layers and Geographic Information System training to two county health departments to address the information gap.

e. Watershed Studies

ACAMP has developed and implemented a coastal watershed study program as part of a long-term strategy to monitor coastal Alabama's water quality and natural resources. In 2000, ACAMP revised its watershed study protocols to include selection criteria and a standardized format consistent with other coastal Alabama monitoring programs. Studies

[3] http://www.masgc.org/cleanmarinas/main.html

conducted using the revised methodology are designed to: (1) assess water quality within the watershed; (2) identify stream segments most impaired by pollution; (3) identify causes of stream body impairments; and (4) provide support and information for more effective implementation of pollution control strategies and nonpoint source management practices. During the review period, ACAMP conducted watershed surveys in the Bayou Sara and Bay Minette Creek watersheds.

IV. THE WEEKS BAY NATIONAL ESTUARINE RESEARCH RESERVE

A. RESERVE SITE DESCRIPTION

The Weeks Bay National Estuarine Research Reserve (WBNERR) is located in Baldwin County, Alabama, between Mobile, Alabama and Pensacola, Florida. It is one of two National Estuarine Research Reserves (NERR) in the Louisianian biogeographic region.[4] Weeks Bay is a small, shallow sub-estuary of Mobile Bay with approximately three square miles of open water that average 4.5 feet deep. Weeks Bay connects to Mobile Bay by a narrow opening and receives fresh water input from both the Fish and Magnolia Rivers.

Much of the land surrounding Weeks Bay is forested wetlands and swamps; there also is some upland pine-oak forest. The primary forested wetland habitat is moist pine forest, which is dominated by slash pine. This habitat can contain a very dense understory of gallberry, wax myrtle, saw palmetto and other species. Bay-tupelo-cypress swamps border the rivers and tidal streams of the watershed. Species composition varies with the amount and duration of flooding. The shoreline of Weeks Bay supports fringing saline marshes that grade into brackish marshes upstream. One of the most abundant marsh species throughout the salinity range is black needlerush. Populations of submerged grasses border the shallow, relatively quiet shores of the bay.

Weeks Bay's diverse habitats support a rich variety of animal life, including several species of special concern. Many resident, nesting and wintering birds are found at Weeks Bay, and the area is especially important as a resting and feeding area to a large number of trans-Gulf migratory birds. Common mammals at Weeks Bay include fox, bobcat, river otter, opossum, armadillo and muskrat. Bottlenose dolphins occasionally are seen in the area. Weeks Bay also is home to many species of reptiles, the most prominent of which is the American alligator, and amphibians. Others include the green anole, cottonmouth, box turtle and several species of frogs and water snakes. Approximately 19 endangered or threatened species have been identified at WBNERR.

Weeks Bay's aquatic habitats also support a myriad of fish and invertebrates. The estuary is a critical nursery for fish, crustaceans and shellfish that support large commercial[5] and recreational fishing industries. Weeks Bay is a particularly important nursery ground for shrimp, blue crab and fish such as spotted sea trout, red drum, croaker and flounder.

In addition to commercial and recreational fishing, Weeks Bay historically has been an important area for a number of other industries. The Port of Mobile is a major contributor to the regional economy, and a high volume of commercial water traffic and

[4] The other reserve representing the Louisianian biogeographic region is the Apalachicola NERR in Florida.

[5] Weeks Bay's commercial fisheries contribute approximately $450 million annually to Alabama's economy.

maintenance dredging operations are associated with the port. Several chemical and energy related industries have developed around Weeks Bay, and crop farming has been important in the area. Baldwin County is Alabama's largest county and is experiencing rapid population growth, particularly along its southern coastal portion.

B. RESERVE ADMINISTRATION

The National Oceanic and Atmospheric Administration (NOAA) designated WBNERR in 1986 as the 16th reserve in the National Estuarine Research Reserve System (NERRS). At the beginning of the review period, the Alabama Department of Economic and Community Affairs (ADECA) served as the lead agency for WBNERR. However, the Alabama Department of Conservation and Natural Resources (ADCNR) assumed primary administrative responsibility for the reserve in 2000. ADCNR has jurisdiction over state lands and is responsible for protecting and conserving wildlife and marine resources and for surveillance and enforcement. WBNERR is positioned within the Coastal Section of ADCNR's State Lands Division.[6]

ADCNR cooperates with the Alabama Department of Environmental Management (ADEM) on certain aspects of WBNERR management. ADEM reviews permits, develops environmental rules and policies, and serves as Alabama's clearinghouse for environmental data. ADEM is also responsible for enforcement regarding construction permits and water quality-related violations.

C. REVIEW FINDINGS, ACCOMPLISHMENTS AND RECOMMENDATIONS

1. OPERATIONS AND MANAGEMENT

a. Staff

Reserve staff are responsible for on-site development, operations and management of WBNERR. Current staff include the Reserve Manager, Education Coordinator, Research Coordinator, research assistant, Geographic Information Systems (GIS) technician, Stewardship Coordinator, Watershed Coordinator, watershed assistant, Volunteer Coordinator, maintenance supervisor, administrative assistant and two laborers. Eight of the thirteen positions at the reserve are filled by state employees, one is filled by a Baldwin County Board of Education employee, and the remaining four are filled by contractors. During the review period, WBNERR made progress in its staffing by hiring a Research Coordinator, research assistant, GIS technician and laborer. NOAA is pleased that WBNERR has filled these four positions and that the majority of reserve staff is composed of state employees.

ACCOMPLISHMENT: During the review period, WBNERR made progress in staffing by hiring a Research Coordinator, research assistant, GIS technician and laborer. State employees compose the majority of reserve staff.

[6] ACAMP is also located in the Coastal Section of ADCNR's State Lands Division.

NOAA understands that it is quite challenging for WBNERR to receive additional state positions for employees. However, as each of the staff is integral to the reserve's mission, NOAA encourages WBNERR to continue to pursue conversion of contract employees to state employees, as practicable.

WBNERR #1 – PROGRAM SUGGESTION: NOAA encourages WBNERR to continue to pursue conversion of contract employees to state employees, as practicable.

b. Advisory Committee

Each NERR has an Advisory Committee that plays an important role in the federal-state partnership. WBNERR has a strong Advisory Committee composed of dedicated members with a wide range of expertise from a variety of federal, state and local agencies and institutions. Established during the initial stages of reserve designation, the Committee's purpose is to advise WBNERR management on reserve operational matters. As Committee members are actively involved in the local community, they also inform WBNERR management of the public's needs, concerns and interests related to the reserve. Additionally, the Committee promotes the reserve by seeking support for its programs.

The Weeks Bay Advisory Committee is composed of eighteen members that include:

Agency Representatives

- ADCNR, Game and Fish Division
- ADCNR, Marine Resources Division
- ADCNR, State Lands Division
- ADEM
- Alabama Senate – Seat Number 32
- Alabama House of Representatives – Seat Number 94
- Baldwin County Board of Education
- Marine Environmental Sciences Consortium
- Baldwin County Commission
- Auburn Marine Extension and Research Center
- Environmental Studies Center, Mobile County Board of Education
- Faulkner State Community College

Citizen Representatives

- Six additional members

Two Non-voting Members

- ADCNR, State Lands Division, Coastal Section
- Weeks Bay Reserve Foundation

NOAA commends the Weeks Bay Advisory Council for assisting the reserve in furthering its mission and increasing its visibility.

ACCOMPLISHMENT: WBNERR has a strong Advisory Committee composed of dedicated members with a wide range of expertise. The Advisory Committee plays an important role in furthering the reserve's mission and increasing its visibility.

c. Management Plan

NERRS regulations require each reserve to have a NOAA-approved management plan that must be updated every five years. A reserve's management plan has three primary functions: (1) to provide a framework for the direction and timing of the reserve's programs; (2) to allow a reserve manager to assess how successfully the reserve's goals have been met and to determine any necessary changes in direction; and (3) to guide programmatic evaluations of the reserve. The plan must describe the reserve's goals, objectives and management issues. It must also identify the reserve's intended strategies for research, education and interpretation, public access, construction, acquisition and resource preservation, restoration and manipulation. Additionally, the plan is required to describe staff roles in each of these areas.

The South Alabama Regional Planning Commission (SARPC) in partnership with WBNERR developed the reserve's current management plan, which was approved in 1998. During the review period, WBNERR contracted with SARPC to update the current management plan. SARPC worked closely with reserve staff and the Weeks Bay Advisory Committee during the revision process and posted the management plan on its website[7] to ensure access to all contributors and reviewers. SARPC posted the preliminary draft of the management plan for review and comment in June 2004. NOAA applauds WBNERR and SARPC for timely and steady progress in revising the reserve's management plan.

ACCOMPLISHMENT: WBNERR has contracted with SARPC to produce the required five year update to its current management plan. The revision process has been timely, thorough and well organized. NOAA expects that this process will result in a high quality management plan to guide WBNERR's operations and programs for the next five years.

d. Reserve Foundation

The Weeks Bay Reserve Foundation was incorporated as a nonprofit organization in 1990 to provide support to WBNERR. The Foundation's more than 550 members elect its Board of Directors at an annual meeting in accordance with current by-laws. The Foundation seeks funding through donations, grants and membership fees. It supports the reserve by donating land and education exhibits, providing petty cash, conducting public awareness and education programs, and organizing water quality monitoring efforts and special activities. The Foundation also facilitates land acquisition, which it views as its most significant accomplishment. At the time of the site visit, the Foundation was exploring the possibility of purchasing several tracts of land from a paper company,

[7] http://www.sarpc.org

citing the importance of acquiring the land before it became heavily developed. The Foundation also was considering opportunities for using conservation easements as a tool.

In order to meet growing demands, the Foundation hired its first Executive Director in June 2003. Part of the Executive Director's role is to help maintain a strong communication link between the Foundation and the reserve. His responsibilities also include engaging in public education and outreach, raising funds and in-kind donations, increasing the Foundation's membership, expanding its water quality programs, overseeing foundation properties and searching for new properties that would be valuable to the reserve. The Executive Director's objectives include continuing land acquisition, engaging in some habitat restoration, and pursuing funding opportunities, such as the Environmental Protection Agency's Watershed Initiative.

During the evaluation site visit, the Foundation's Executive Director described some of the organization's recent efforts to increase WBNERR's visibility by creating a reserve "brand." For example, the Foundation designed a WBNERR Christmas ornament for sale at the reserve's gift shop. NOAA supports these efforts and encourages WBNERR to strengthen coordination with the Foundation in order to increase the emphasis on promoting the reserve. For example, the Foundation has two primary publications, a website[8] and a quarterly newsletter, *The Pelican Post*. These publications contain Foundation related information, articles on "hot topics" such as water quality, highlights of reserve activities and life history information about area flora and fauna. To increase coordination, the Foundation could provide reserve staff an opportunity to review updates to the website and editions of the newsletter before publication. To increase reserve visibility, WBNERR staff could write articles or provide regular updates on reserve programs for the Foundation's website and *The Pelican Post*.

WBNERR #2 – PROGRAM SUGGESTION: NOAA encourages WBNERR to strengthen coordination with the Weeks Bay Reserve Foundation in order to increase the emphasis on promoting the reserve.

e. Facilities

During the review period, WBNERR significantly upgraded its facilities. Improvements include a new wet laboratory, interpretive exhibits, a covered deck and stairs, a completed boardwalk, a stabilized bulkhead, boat ramps and dockage. The reserve has three small vessels available for research and uses its large pontoon boat to conduct educational tours.

The reserve's renovated Interpretive Center now houses four offices, two laboratories, a conference room, a small classroom and a lobby and exhibit area. Exhibits include taxidermy of many native animals and plants, backlit exhibit panels, an extensive

[8] http://www.weeksbay.org

specimen collection, a live animal room and other cultural and historical displays.[9] In the lobby, Power Point presentations highlight staff efforts in education, research, monitoring, watershed protection, partnership building and stewardship. The Education and Research building includes a small auditorium, research library, dormitory and kitchen. The grounds are landscaped with native plants.

Two handicapped accessible boardwalks offer visitors access to unique area habitats, including a rare pitcher plant bog and bottomland swamp. The interpreted boardwalks and other ground trails also have enhancements such as rest stops, observation decks and gazebos. NOAA applauds WBNERR on the excellent renovations and upgrades to its facilities during the review period.

ACCOMPLISHMENT: WBNERR significantly renovated and upgraded its facilities during the review period.

During the process of improving its facilities, the reserve frequently requested extensions on its construction grants. Extensions on multiple grants led to WBNERR having several outstanding construction grants open at once. One reason for the construction grant extensions was the shift in administrative responsibility for the reserve from ADECA to ADCNR. For example, following the move to ADCNR, WBNERR had to discontinue existing architectural planning work in order to use state architects, who were unable to devote immediate attention to the project. As discussed later in this document,[10] while NOAA recognizes that some of the contributing factors to the multiple open grants during the review period were out of WBNERR's control, NOAA strongly encourages the reserve to address those issues within its control that hamper the timely completion of grant tasks as soon as possible.

f. Land Acquisition

During the review period, WBNERR acquired key parcels of land, such as the 22.5 acre Bay Watch Marina at the mouth of the Fish River, and developed a strong land acquisition plan. The reserve worked with the Alabama Natural Heritage Program, the Nature Conservancy and ADEM to develop a land identification and prioritization program in the Weeks Bay Coastal Area Boundary. This program has created a GIS database incorporating impacted sensitive lands, significant wetlands and habitat for indicator species. Additionally, the program has layered land use information and generated a watershed nonpoint source pollution profile. The program will facilitate the reserve's identification and prioritization of key ecological areas for purchase.

The reserve's land acquisition plan will be developed further with input from the Weeks Bay Advisory Committee and the Weeks bay Reserve Foundation. Future property acquisitions will be based on several criteria:

[9] In a unique partnership, WBNERR contracted with the Auburn University Department of Industrial Design for design, construction and installation of its new exhibits.
[10] See §V-C-3.

- Availability – currently for sale or likely to be for sale in the near future;
- Cost and relative cost – availability of funds, possibility of a swap or donation, importance of the property relative to other parcels under consideration;
- Ecological importance – some properties may contain flora, fauna or land forms of particular importance;
- Location – other factors being equal, property adjacent to an existing holding would be preferred; and
- Current use and development potential – undeveloped properties generally will be preferred, but some developed parcels may be desirable in order to control the course of future development.

The reserve has identified five project areas that contain valuable ecological habitats. These areas encompass significant tracts of land that may be considered for potential acquisition. The five project areas are Weeks Bay, Magnolia River, Lower Fish River, Upper Fish River and Bon Secour Bay. Areas outside the five project areas may be considered if they contain land that would significantly protect the Weeks Bay Estuary from negative impacts or provide significant benefits to the area.

WBNERR will continue to implement the acquisition plan by pursuing funds to purchase properties, working with landowners to explore conservation easements and encouraging donations of property. The plan will facilitate the coordination and leveraging of funds to ensure the purchase of high priority parcels. Given the long lead time often required to obtain funds from government agencies for acquisition and the speed with which properties appear on the market, the Weeks Bay Reserve Foundation will be encouraged to maintain funds to initiate acquisition while other funds are sought. NOAA commends WBNERR and the Weeks Bay Reserve Foundation for developing a strong land identification and prioritization program in the Weeks Bay Coastal Area Boundary and for acquiring key parcels of land during the review period

ACCOMPLISHMENT: WBNERR and the Weeks Bay Reserve Foundation have developed a strong land identification and prioritization program.

While WBNERR acquired key parcels of land during the review period, the reserve did experience delays with land transfers and acquisition grant task completion. For example, after receiving NOAA funding for acquisition of five priority tracts, ADCNR identified other wetland funds available for the purchase of the priority tracts. The wetland funds were in danger of being lost by the state if they were not soon expended. Thus, ADCNR decided to use the wetland funds to acquire the priority tracts, anticipating that NOAA funds could, through a change in scope, be used to purchase other valuable property within the Weeks Bay Coastal Area. As discussed later in this document,[11] while NOAA recognizes that some of the contributing factors to the reserve's requests for grant extensions during the review period were out of WBNERR's control, NOAA strongly encourages the reserve to address, as practicable, those issues that delay the timely completion of land transfers and acquisition grant tasks.

[11] See §V-C-3.

2. RESEARCH AND MONITORING PROGRAM

WBNERR has a strong Research and Monitoring Program with five main goals: (1) provide baseline data on habitats and water quality for the national program; (2) provide resources, support and background data to encourage independent research projects within the reserve and adjacent, associated waters; (3) increase reserve capabilities to implement the NERRS System-wide Monitoring Program (SWMP); (4) initiate applied research projects to increase understanding of watershed functions and methods of resource protection and restoration; and (5) translate and disseminate monitoring and research data to local state and federal participating agencies and other private and public users through education and outreach programs.

All proposed research at WBNERR is guided to address the priorities for baseline data and research consistent with the goals and priorities of the NERRS, WBNERR and the Weeks Bay Watershed Project.[12] The reserve also encourages and supports projects that align with regional research priorities. In order to receive reserve approval, research projects must be conducted at approved sites and must fulfill one or more of the following WBNERR research priorities:

Initial Short-term Priorities

- Research to provide management information on habitat conditions
- Evaluation of Best Management Practices' effectiveness
- Response to point and nonpoint source pollutants
- Effects of habitat alterations
- Assessment of indicator species
- Faunal utilization of aquatic habitats

Long-term Priorities

- Research on estuarine and riverine ecology
- Factors affecting diversity, including impacts of invasive species
- Investigation of physical, chemical and biological aspects of water quality
- Impacts of land use on aquatic, wetland and riparian habitats
- Geology and geological history
- Archaeological and historical research

WBNERR also has identified future research needs:

- Improving the understanding of coastal and estuarine ecosystems' structure and function
- Impacts of coastal and contiguous habitat modification
- Water column processes
- Physical and chemical forces and biotic stressors
- Watershed processes
- Effects of land use change, population growth and development

[12] See §IV-C-4-b for a discussion of the Weeks Bay Watershed Project.

- Biological diversity and productivity issues, including invasive species' impacts
- Role of natural and anthropogenic disturbance in coastal and estuarine ecosystems
- Surface and groundwater contributions and interactions
- Socio-legal economic implications of restoration and preservation strategies
- Interactions of ecosystem functions and public health

WBNERR's Research Coordinator, working in conjunction with a Research Advisory Group, will further develop the reserve's research priorities. Modifications will be based on both system-wide and site specific management needs as well as on information gained from baseline surveys and environmental monitoring.

a. Research and Monitoring Program Visibility

WBNERR's Research and Monitoring Program made great progress during the review period. The addition of three well-qualified, dedicated staff members[13] has institutionalized the program and increased its visibility. Consequently, the Research and Monitoring Program has witnessed a significant increase in visiting researchers and the number of research projects conducted at the reserve. Part of this increase is a result of the staff's regular coordination with a variety of area universities and institutions such as Dauphin Island Sea Lab (DISL). In addition to local recognition, Weeks Bay is beginning to receive national attention as a key location for research. During the site visit, the Research Coordinator noted his pride at attending a national meeting and seeing between five and ten presentations on research in Weeks Bay. The Research and Monitoring Program's staff also must be acknowledged for their ability to translate scientific data into an understandable and meaningful format for the public, another critical element in enhancing the program's visibility and success. NOAA applauds the reserve's Research and Monitoring Program staff for their excellent progress in institutionalizing the program and increasing its visibility. NOAA encourages WBNERR's Research and Monitoring Program to continue such efforts.

ACCOMPLISHMENT: WBNERR's Research and Monitoring Program has become institutionalized and has increased its visibility. Consequently, the program has witnessed a significant increase in visiting researchers and the number of research projects conducted at the reserve.

b. System-wide Monitoring Program (SWMP)

Participation in and contribution to system-wide efforts such as planning, development and implementation are important aspects of being part of the NERRS. National programs and initiatives are developed in collaboration with all reserves and NOAA. One example of a system-wide effort is SWMP. The goal of SWMP is to identify and track short-term variability and long-term changes in estuarine water quality, habitat and land use in each reserve. The data gathered through SWMP provides information about

[13] As described in §IV-C-1-a, WBNERR hired a Research Coordinator, research assistant and GIS technician during the review period.

how estuaries function and change over time, enabling scientists to predict how these systems will respond to anthropogenic changes.

SWMP provides critically needed, standardized information on national estuarine environmental trends while allowing the flexibility to assess coastal environmental management issues of regional or local concern. This program is designed to enhance the value and vision of the NERRS as a system of national reference sites. The program has three components and a phased approach to implementation. The three components are:

(1) Abiotic Variables: SWMP currently measures pH, conductivity, temperature, dissolved oxygen, turbidity, water level and atmospheric conditions. In addition, the program collects monthly nutrient and chlorophyll samples and monthly diel samples at one SWMP data logger station. Each reserve uses a set of automated instruments and weather stations to collect these data for submission to a centralized data management office.

(2) Biotic Variables: The reserve system will incorporate monitoring of organisms and habitats into the SWMP as funds become available. The first aspect likely to be incorporated will quantify vegetation (e.g., marsh vegetation, submerged aquatic vegetation) patterns and their change over space and time. Other aspects that could be incorporated include monitoring infaunal benthic communities and plankton communities.

(3) Habitat Mapping and Change: This component of SWMP will be developed to identify changes in coastal ecological conditions with the goal of tracking and evaluating changes in coastal habitats and watershed land use. The main objective of this element will be to examine the links between watershed land use activities and coastal habitat quality.

WBNERR has four permanent sampling stations within Weeks Bay. Continuous water quality data is collected for pH, specific conductivity, turbidity, temperature, dissolved oxygen, water depth and salinity. Dataloggers at the mouth of Fish River and near the mouth of Weeks Bay have been monitoring continuously since October 1995. The reserve added two monitoring sites at the mouth of the Magnolia River and at a mid-bay site near the confluence of the Fish and Magnolia channels in August 2003. A weather station near the mouth of the Fish River has compiled data on air temperature, relative humidity, barometric pressure, photosynthetically active radiation, wind velocity, wind direction and rainfall since 2001. These weather data are available real-time on the Internet[14] through a cooperative relationship with the Mobile Bay National Estuary Program, DISL and Faulkner State Community College. WBNERR began monitoring nutrients in 2003. Water samples are collected monthly at all of the datalogger sites for the determination of nitrate, nitrite, ammonia, dissolved reactive and total phosphate, chlorophyll and suspended solids. These same parameters are also measured on water samples collected periodically over a tidal cycle at the mouth of the Fish River. The

[14] http://cast-net.mobilebaynep.com/monitoringdata/default.asp

reserve submits all data to the Centralized Data Management Office at Baruch Marine Laboratory in South Carolina for inclusion in the national NERRS database.[15] NOAA commends the Research and Monitoring Program for fulfilling its SWMP requirements by successfully implementing the program and submitting high quality data to the Centralized Data Management Office.

c. Site Profile

NERRS implementing regulations require each reserve to develop a comprehensive site profile. A site profile is designed to: (1) compile scientific datasets relating to the reserve, (2) characterize the physical and biotic components of the environment, (3) synthesize the known ecological relationships within the reserve and its watershed, (4) trace the impact of natural and human disturbances, and (5) explore the need for future research, education and management initiatives. In 1996, WBNERR completed its site profile. The document was further revised and submitted as a final profile to NOAA in 1998. Subsequently, the reserve and DISL agreed that the site profile should be peer reviewed prior to publication and dissemination. They also indicated that several additional data sets, such as that of the Alabama Geological Survey, should be included in the profile to provide better baseline information for future research projects. The data acquisition and peer review was one of the first tasks that the new Research Coordinator successfully accomplished. NOAA applauds the Research and Monitoring Program for completing important enhancements to its site profile.

ACCOMPLISHMENT: WBNERR's Research and Monitoring Program has completed important enhancements to its site profile. The final document is well written and comprehensive.

3. EDUCATION AND OUTREACH PROGRAM

WBNERR's Education and Outreach Program is based on natural history, applied research and cultural investigation in order to strengthen the understanding, appreciation and stewardship of local estuaries, coastal habitats and associated watersheds. Specifically, staff has identified four goals for the program: (1) provide educational resources to increase public knowledge and awareness of estuarine ecosystems' complex nature, value and challenges; (2) serve as a resource, training and outreach center; (3) measure the effectiveness of the program; and (4) provide the funding and administrative resources to develop, implement, and expand the program. WBNERR's Education and Outreach Program has three major components:

- K-12 Education and Professional Teacher Development
- Adult and Community Education
- Coastal Training Program (CTP)

[15] http://cdmo.baruch.sc.edu

In 2000, WBNERR hosted the annual NERRS Education and CTP Coordinators Meeting. During this meeting, approximately 40 Education and CTP Coordinators from reserves throughout the system had the opportunity to explore the WBNERR and the greater Weeks Bay ecosystem. NOAA congratulates WBNERR for hosting a successful meeting.

a. K-12 Education and Professional Teacher Development

The reserve's Education Coordinator position is the result of a unique partnership between WBNERR and the Baldwin County Board of Education. Baldwin County provides the Education Coordinator's position to the reserve primarily to provide educational programs for the county's K-12 students. Approximately 4,000 K-12 students visit WBNERR for such environmental programs each school year.[16] The reserve's K-12 programs are composed of hands-on activities correlated to the Alabama Science Course of Study for each grade level. K-8 activities are conducted at the reserve's Interpretive Center, while field and lab oriented programs for high school students are held at different locations throughout the reserve. A core of about ten reserve volunteers regularly assists the Education Coordinator in conducting K-12 programs. Education staff also hold environmental workshops for teachers during the summer. Such workshops include Nonpoint Source Pollution and Solutions, Project GLOBE Training, Project Learning Tree and Project WILD.[17]

In addition to holding onsite education programs, WBNERR coordinates with the Alabama Coastal Area Management Program (ACAMP) to take environmental education programs to local schools. The Education and Outreach Program also provides outreach to local teachers. For example, the Education Coordinator has developed "resource boxes" that are available to Baldwin County educators through the interschool loan service. These boxes each focus on a significant environmental issue and contain information packages as well as evaluation sheets for the teachers. Other educational outreach materials include a reserve site brochure and a children's estuary activity book. NOAA commends the Education and Outreach Program for providing high quality programming and materials to so many local students and teachers.

b. Adult and Community Education

The reserve offers adult and community education programs to special interest groups, civic and professional organizations and others to increase awareness both of estuarine ecosystems' importance and local coastal management issues. For example, WBNERR cooperates with a variety of state and local agencies to provide educational programs to the Baldwin County Association of Professional Educators, Baldwin County Association of Retired Teachers, Master Gardeners of Baldwin County, Sierra Club, Audubon Society, Chamber of Commerce, Rotary Club, Alabama Geological Society and The Nature Conservancy. The reserve's Education and Outreach staff offer education

[16] Ninety percent of school groups that visit the reserve come from Baldwin County; others visit from locations throughout Alabama.
[17] http://www.globe.gov; http://www.plt.gov; http://www.projectwild.org

programs both at the reserve and off-site, depending upon the needs of the audience. The reserve also provides guided tours along its boardwalks, trails and waterways for visitors. Additionally, the reserve participates in and encourages community involvement in a variety of outreach events such as Earth Day, Derelict Crab Trap Removal Day, and coastal and river clean-ups.

c. Coastal Training Program (CTP)

An important aspect of a reserve's Education and Outreach Program is CTP. The program is designed to: (1) inform coastal decision-making; (2) improve coastal stewardship at local and regional levels by increasing the application of science-based knowledge and skills by coastal decision-makers, and (3) increase dialogue and collaboration among coastal decision-makers. Planning for the program includes establishing a training advisory committee, conducting a market survey of training providers and an audience needs assessment, developing a program strategy that outlines priority coastal issues to be addressed during the next three to five years, prioritizing target audiences, and creating a marketing plan.

During the review period, WBNERR had a CTP Coordinator for approximately six months. Unfortunately, the CTP Coordinator left the reserve, and the position remained unfilled at the time of the site visit. However, WBNERR was in the process of negotiating with a candidate to fill the position. During the absence of a CTP Coordinator, the Education Coordinator was assisting with CTP and working closely with SARPC to conduct the market analysis and needs assessment. During the site visit, SARPC noted that the Weeks Bay CTP is an excellent opportunity to coordinate with and improve the relationships among a wide variety of partners at the local level. SARPC has also supported CTP by organizing workshops and handling associated logistics.

The reserve, in conjunction with CTP and the Weeks Bay Watershed Project, annually holds a variety of environmental education workshops, including:

- Septic workshops for on-site wastewater managers, engineers and septic tank installers
- Groundwater workshops for engineers, municipal staff and water system operators
- Conservation easement workshops for attorneys, foresters, real estate appraisers, land managers and landowners
- Invasive exotics workshops for large landowners, foresters, landscape architects and ornamental pond installers
- Training workshops for volunteer water quality monitors with the Alabama Water Watch Program
- The Annual Statewide Nonpoint Source Pollution Workshop for stormwater permitees, government agencies, stormwater managers and municipal public works staff

The reserve also hosts workshops in conjunction with the NOAA Coastal Services Center (CSC) as opportunities occur. For example, WBNERR and CSC held a training needs assessment workshop in January 2001. WBNERR plans to develop a CTP website that will contain a calendar of various environmental workshops around the area. The website will allow participants to register online, download educational materials, and ask questions. NOAA congratulates the Education and Outreach Program for its progress on CTP and encourages it to continue such efforts.

ACCOMPLISHMENT: WBNERR's Education and Outreach Program has an effective partnership with SARPC and has made strong progress on CTP.

4. STEWARDSHIP PROGRAM

During the last few years, NERRS has focused on developing a stewardship component to complement its existing research and education programs. WBNERR's Stewardship Program has four primary goals: (1) manage reserve habitats to achieve their maximum function and to use as a research, education and interpretive tool while minimizing adverse impacts; (2) improve and maintain water quality in the Weeks Bay Watershed to meet or exceed state water quality standards for water bodies classified as "swimming" or "fish and wildlife;" (3) utilize SWMP information and other research to identify potential ecological problems as a basis for management decisions within the watershed; (4) continue public outreach programs to bring greater awareness of the coastal environment's importance to coastal decision-makers and the general public.

a. Restoration Program

One of the Restoration Program's priorities is to restore the temporal and spatial diversity inherent in healthy ecosystems. The reserve's restoration plan has two primary goals: (1) acquire new properties for restoration or co-manage adjacent properties to increase habitat diversity, and (2) restore habitats that have been altered by human activities that have led to decreased habitat diversity within the reserve's boundary. In order to achieve these goals, WBNERR has established three restoration objectives: (1) determine the need for restoration of reserve-owned properties by assessing the habitat value of each parcel; (2) continue evaluation of reserve habitats and identify rare or threatened habitat types in a local and regional context; and (3) coordinate with state and federal agencies to minimize loss and to restore habitats.

WBNERR's pitcher plant bog restoration is an example of an excellent project. Management of the bog includes periodic burnings to prohibit encroachment of more aggressive terrestrial plants. The burns are conducted in cooperation with the Natural Heritage Section of ADCNR's State Land Division and are contained by fire lanes. The pitcher plant bog has responded very well to the prescribed burning; currently 20 acres have been restored. The reserve hopes to expand such coastal habitat restoration to a larger area.

Wetlands Restoration, L.L.C. owns a 1,700 acre parcel of land adjacent to the WBNERR's Swift Tract and sponsors the Weeks Bay Mitigation Bank, the first public mitigation bank in Alabama. The purpose of the mitigation activities on the adjacent property is to restore, create, enhance and preserve the wetlands status of the mitigation bank lands. The target habitat is pine savannah. A mitigation bank review team composed of representative state and federal agencies approved the bank's management plan. ADCNR agreed that restoration activities on the Swift Tract will follow the management goals and objectives of the mitigation bank plan. As Wetlands Restoration, L.L.C. plans to transfer its property to ADCNR in the future, the expected outcome of the co-managed activities is the enhancement of the Swift Tract and the establishment of an additional 1,700 acres of pine savannah for the reserve. This would result in more than 2,300 contiguous acres of protected coastal habitat next to Bon Secour Bay. NOAA applauds WBNERR's Stewardship Program for its pitcher plant bog restoration.

ACCOMPLISHMENT: WBNERR's Stewardship Program has successfully restored 20 acres of a rare pitcher plant bog.

b. Weeks Bay Watershed Project

NOAA commends the Stewardship Program's sponsorship of the excellent Weeks Bay Watershed Project and its Watershed Coordinator. Initiated in 1993, the Watershed Project was created to assess water quality conditions in the Weeks Bay Watershed and to develop a plan for protecting and improving the bay. The goal of the project is to improve and maintain water quality in order to meet or exceed state water quality standards for water with "swimming" and "fish and wildlife" classifications. The Watershed Project's final plan was published in 1998, and a Citizens Advisory Committee was established to guide implementation of the plan. The plan includes reducing nonpoint source pollution, supporting habitat protection and restoration, and managing infrastructure and growth among its strategies for improving water quality. As one of the first watershed management plans in the state, it has served as a model throughout Alabama.

Since its inception, the Watershed Project has had a strong emphasis on education and outreach. During the review period, the Watershed Coordinator focused on incorporating more specialized information into the education component in order to move beyond awareness of significant water quality issues into addressing these issues with specific actions. The purpose of this shift in focus was to elevate the program's education component to a more technical level. For example, some workshops that were originally targeted at local teachers have evolved into opportunities for municipal officials and regulators.

One of the strengths of the Weeks Bay Watershed Project is its alignment with CTP. Both efforts coordinate closely and address similar issues; however, each targets different audiences with effectively tailored approaches. The Watershed Project is receiving increased requests for short, half-day workshops and is considering ways to reach more people through the use of alternative forums. For example, the Watershed Coordinator is

considering attending meetings of various local organizations in order to give presentations. The Watershed Coordinator is also exploring the use of public service announcements as well as a partnership in which area meteorologists would present stormwater information in conjunction with the local weather forecast.

Watershed Project workshops typically focus on locally important water quality issues. During the review period, significantly increasing development in the Weeks Bay Watershed led to heightened concern about both the availability and safety of groundwater. In response, the Watershed Program developed a variety of groundwater protection workshops. For example, one stakeholder group that the Watershed Coordinator has focused on has been area sod farmers. The Watershed Coordinator has begun working with the farmers' trade group. Other workshop topics have included septic systems, gardening and landscaping, and erosion and sediment control. The Watershed Program is also making efforts to address mercury and pathogens in the Fish River.

One of the Watershed Project's most popular outreach efforts is the "Greener by the Yard" program, which is targeted at individual homeowners. "Greener by the Yard" is a cooperative effort with the Master Gardeners of Baldwin County. Homeowners are invited to attend informational landscaping workshops. If they agree to implement the practices described, they receive a plaque that declares their property is "Greener by the Yard." This program consistently has been very successful.

ACCOMPLISHMENT: WBNERR's Stewardship Program has successfully sponsored the Weeks Bay Watershed Project, a strong, scientifically-based and dynamic effort to address local water quality issues of concern. The project also is well coordinated with WBNERR's core programs.

The Watershed Coordinator has clearly developed the Weeks Bay Watershed Project into an effective, scientifically-based effort that is responsive to local concerns. The Watershed Coordinator is currently a contract employee with the reserve. NOAA recognizes the difficulty associated with acquiring state positions. However, as described in §IV-C-1-a, NOAA strongly encourages WBNERR to continue to pursue conversion of the Watershed Coordinator and other reserve contract positions to state employees.

5. VOLUNTEER PROGRAM

WBNERR has an excellent Volunteer Program that greatly benefits the reserve and its programs. The Weeks Bay area has a very active retirement community, and the majority of reserve volunteers are retirees. Volunteers at the reserve belong to the WBNERR Volunteer Association, which is a formal organization with a constitution and by-laws. The Association's purpose is to assist WBNERR in an organized, methodical manner to ensure that reserve needs are met. The Association also has the capability to raise and spend its own funds for reserve projects.

WBNERR's volunteers engage in a notably wide range of activities that support each of the reserve's core programs. Volunteers provide assistance with implementation of key activities such as staffing the Interpretive Center, conducting boat tours of the reserve, monitoring water quality, assisting with educational programs for Elderhostel groups, and coordinating workshop logistics. For example, WBNERR volunteers helped organize a stewardship workshop on correct application of pesticides to control invasive species. As a strong link to the local community, volunteers also provide invaluable outreach for the reserve.

One of the Volunteer Program's highlights is the Annual Native Plant Sale. Organized in conjunction with a local nursery and the Master Gardeners Program, the sale encourages the use of native plants in coastal landscaping. Prior to the sale, the reserve holds a workshop for the general public to explain landscape design and plants that will conserve both water and habitat. Proceeds from the sale fund a variety of volunteer-sponsored projects. NOAA commends WBNERR's Volunteer Program for its commitment and contributions to the reserve.

ACCOMPLISHMENT: WBNERR's Volunteer Program has successfully recruited and retained a strong core of volunteers that provides critical support to each of the reserve's programs.

V. THE ALABAMA COASTAL AREA MANAGEMENT PROGRAM AND WEEKS BAY NATIONAL ESTUARINE RESEARCH RESERVE

A. OVERVIEW

The Coastal Zone Management Act requires the National Oceanic and Atmospheric Administration (NOAA) to conduct periodic evaluations of all federally approved coastal management programs (CMP) and National Estuarine Research Reserves (NERR). Historically, NOAA has conducted evaluations of individual programs. In states with both a CMP and a NERR, evaluations have given some consideration to the programs' interaction with one another, but it has not been an area of particular emphasis.

During the last two years, NOAA has moved toward conducting joint evaluations of CMPs and NERRs where appropriate and feasible. The purpose of a joint evaluation is to gain a more integrated assessment of a state's coastal management efforts, recognizing that sound coastal management depends upon the successful implementation of both programs. Accordingly, a joint evaluation document contains not only individual program findings, but also accomplishments and recommendations that apply to both the CMP and the NERR.

B. ALABAMA COASTAL SECTION DESCRIPTION

As described previously in this document, the Alabama Coastal Area Management Program (ACAMP) and the Weeks Bay National Estuarine Research Reserve (WBNERR) are housed within the Coastal Section of the Alabama Department of Conservation and Natural Resources' (ADCNR) State Lands Division. Through effective implementation of ACAMP and WBNERR, the Coastal Section aims to promote, improve and safeguard Alabama's coastal area. The comprehensive and cooperative programs are designed to preserve, enhance and develop valuable resources for the present and future well-being and general welfare of the citizens of Alabama. ACAMP and WBNERR coordinate their efforts throughout ADCNR and with many other agencies and organizations in order to protect the state's coastal environment from a range of increasing pressures.

C. REVIEW FINDINGS, ACCOMPLISHMENTS AND RECOMMENDATIONS

1. Staff

ACAMP and WBNERR staff must be recognized for their tireless work, responsiveness, perseverance, creativity and dedication to coastal management. The staff's commitment to and enthusiasm for their work have gained respect for ACAMP and WBNERR throughout coastal Alabama. A clear understanding of current threats to the state's coastal resources as well as a strong focus on priority coastal issues is evident in ACAMP's and WBNERR's results-oriented approach to coastal management.

ACCOMPLISHMENT: ACAMP and WBNERR have outstanding, dedicated staff that are critical to both programs' success.

2. Position

As described previously in this document, primary administrative responsibility for ACAMP and WBNERR was shifted from the Alabama Department of Economic and Community Affairs to ADCNR in 2000. This change in lead agency resulted in several significant benefits for both programs, which are currently well positioned in the organizational structure of ADCNR to accomplish their missions. However, as with any program relocation from one agency to another, some confusion may ensue among program staff regarding the new agency's procedures. Likewise, agency leadership might not be entirely cognizant of the scope, mission and unique features of the new programs. Therefore, it can advantageous for program staff to receive training in the new agency's procedures, such as those related to contracting, for example. It can also be valuable for the programs to hold informational sessions for new agency leadership and staff. These steps can both smooth the programs' transition to and raise their visibility within the new agency.

ACAMP/WBNERR #1 – PROGRAM SUGGESTION: NOAA encourages ADCNR to provide training in agency procedures to ACAMP and WBNERR staff. NOAA also encourages ACAMP and WBNERR to work with all points along ADCNR's chain of command so that there is a consistent and clear understanding of the scope, mission and unique features of each program.

3. Finance

During the review period, NOAA awarded grants to both ACAMP and WBNERR for operations and other activities. Program staff must be commended on thorough grant tracking and monitoring. In general, the programs have achieved the desired results from the funded tasks and have built upon established projects. However, during the review period, the programs often needed extra time to complete grant tasks, which led to both programs having several open grants at once. There have been legitimate reasons for the grant extensions, such as the shift in administrative responsibility for the programs from ADECA to ADCNR, and both ACAMP and WBNERR are working to resolve the issues surrounding the timely completion of grant tasks. NOAA encourages the programs to address outstanding issues as soon as possible, as repeatedly having multiple open grants due to incomplete grant tasks can affect the programs' ability to receive future funding.

ACAMP/WBNERR #2 – PROGRAM SUGGESTION: NOAA strongly encourages ACAMP and WBNERR to address issues hampering the timely completion of grant tasks as soon as possible.

Semi-annual performance reports are required for each financial assistance award. During the evaluation period, performance reports were submitted on schedule and provided necessary information. Performance reports are useful both to NOAA and to

the programs because they provide a consolidated source of information on accomplishments related to financial assistance awards.

The evaluation team was pleased to note that with the shift of the lead state agency from ADECA to ADCNR, both ACAMP and WBNERR received small purchases capability. A seemingly minor aspect of program operations, small purchases capability is in reality very important for CMPs and NERRs. Small purchases capability allows programs to address basic needs, such as buying office supplies and reproducing outreach materials, efficiently. NOAA commends ADCNR for granting small purchases capability to ACAMP and WBNERR.

ACCOMPLISHMENT: ADCNR has granted small purchases capability to both ACAMP and WBNERR.

4. Partnerships

As described throughout these findings, the evaluation team was impressed with ACAMP's and WBNERR's successful coordination with federal, state, local, academic and private agencies and organizations. During the site visit, the evaluation team often heard from interview subjects about both programs' strong coordination with them and with other groups. Through partnerships with other agencies and organizations, ACAMP and WBNERR strengthen their own programs by pooling the resources and expertise of many different groups. The programs' proactive approach to coordination by involving partners early in processes and projects improves efficiency and allows problems to be addressed before they escalate. NOAA commends ACAMP and WBNERR for their strong coordination with their partners and encourages maintenance of these efforts.

ACCOMPLISHMENT: ACAMP and WBNERR regularly engage in many diverse partnerships. The programs successfully coordinate with federal, state, local, academic and private agencies and organizations.

5. Education and Outreach

NOAA commends ACAMP and WBNERR for their innovative efforts to improve education and outreach during the review period. As noted in Sections III-C-7 and IV-C-3 of these findings, both ACAMP and WBNERR have very strong education and outreach programs. The programs' education and outreach activities focus on enhancing the visibility of Alabama's coastal resources and issues. The programs use a variety of media as well as personal contact to educate and inform the public about coastal resources, accessibility and management. ACAMP and WBNERR representatives regularly attend public events to improve the visibility of the programs and their missions.

ACCOMPLISHMENT: ACAMP and WBNERR have employed innovative methods to improve education and outreach during the review period.

6. Permitting

As is evident from this document, ACAMP and WBNERR generally communicate and coordinate well with each other and with their partners. However, NOAA encourages ACAMP and WBNERR to place a stronger emphasis on communication and coordination regarding permitting issues.[18] For example, during the site visit, the U.S. Army Corps of Engineers (USACE) noted that the Alabama General Permits would soon come up for review. WBNERR and ACAMP should work closely with USACE to ensure that the reserve's special area management guidelines are incorporated in the next round of General Permits. NOAA also encourages ADCNR, ACAMP and WBNERR to improve follow-up and feedback regarding program comments on permit applications. For example, if WBNERR or ACAMP reviews a permit application and provides comments to ADCNR, program staff should be notified as to whether the comments were accepted and incorporated into official ADCNR comments. If program comments are not accepted, program staff should be notified as to why they were not accepted. In addition to the inherent benefit of staff knowing how their comments were used, such action will also assist staff in preparing future comments.

ACAMP/WBNERR #3 - PROGRAM SUGGESTION: NOAA strongly encourages ACAMP and WBNERR to place a stronger emphasis on communication and coordination regarding permitting issues. WBNERR and ACAMP should work closely with USACE to ensure that the reserve's special area management guidelines are incorporated in the next round of USACE's General Permits. NOAA also strongly encourages ADCNR, ACAMP and WBNERR to improve follow-up and feedback regarding program comments on permit applications.

[18] See Sections III-C-5 and III-C-6 for a description of permitting and federal consistency.

VI. CONCLUSION

Based upon the recent evaluation of the Alabama Coastal Area Management Program and the Weeks Bay National Estuarine Research Reserve, I find that Alabama is adhering: (1) to its approved coastal management program and is making satisfactory progress implementing the provisions of its approved coastal management program; and (2) to the programmatic requirements of the National Estuarine Research Reserve System in its operation of its approved National Estuarine Research Reserve.

These evaluation findings contain eight recommendations. These recommendations are in the form of Program Suggestions, which should be addressed before the next regularly scheduled program evaluation. However, they are not mandatory at this time. Program Suggestions that must be repeated in subsequent evaluations may be elevated to Necessary Actions. Summary tables of program accomplishments and recommendations are provided in the Executive Summary.

This is a programmatic evaluation of the Alabama Coastal Area Management Program and the Weeks Bay National Estuarine Research Reserve that may have implications regarding the state's financial assistance awards. However, it does not make any judgment on or replace any financial audits related to the allowability or allocability of any costs incurred.

Eldon Hout
Director

Date

VII. APPENDICES

Appendix A. Program Responses to Previous Evaluation Findings
1. ACAMP Response to 2000 Findings
2. WBNERR Response to 1999 Findings

Appendix B. Persons and Institutions Contacted

Appendix C. Persons Attending Public Meetings
1. Persons Attending ACAMP Public Meeting
2. Persons Attending WBNERR Public Meeting

Appendix D. NOAA's Response to Written Comments

APPENDIX A. PROGRAM RESPONSES TO PREVIOUS EVALUATION FINDINGS

1. ACAMP Response to 2000 Evaluation Findings

#1. PROGRAM SUGGESTION: Given the occurrence of severe storms, subsequent damage and coastal erosion, the need for expertise in the field of hazard planning should continue to be a primary focus of ACAMP. Consideration should be given to creating a hazard mitigation coordinator position, as funding becomes available.

During the review period, ACAMP continued to execute tasks associated with shoreline management and hazard mitigation, such as the regional sediment management demonstration project described in §III-C-3-b. A hazard mitigation coordinator position was not created.

#2. NECESSARY ACTION: By December 31, 2000, ADECA must take the necessary actions to fill the vacancies, specifically the citizens' appointments, that presently exist on the Coastal Resources Advisory Committee. It is recommended that these appointments be established with staggered terms.

During the review period, vacancies on the Coastal Resources Advisory Committee were filled, and the Committee resumed its quarterly meeting schedule.

#3. PROGRAM SUGGESTION: ADECA and ADEM Coastal Programs should develop and execute a Memorandum of Understanding that clarifies and identifies the roles of the two agencies in order to further enhance the coordination and integration of ACAMP planning and implementation.

ADECA and ADEM did not develop and execute a Memorandum of Understanding clarifying and identifying the roles of the two agencies. A similar suggestion for ADCNR and ADEM to engage in long range planning and to document roles and relationships regarding the implementation of ACAMP is described in §III-C-3-a.

#4. PROGRAM SUGGESTION: Lead ACAMP staff, ADECA and ADEM Coastal Program Managers, and the WBNERR Manager should develop a strategy and process for increasing coordination and collaboration between ACAMP and reserve programs.

Coordination and collaboration between ACAMP and WBNERR generally has improved during the review period. A suggestion for ACAMP and WBNERR to place a stronger emphasis on communication and coordination regarding permitting issues is described in §V-C-6.

#5. PROGRAM SUGGESTION: ADECA is encouraged to take the necessary steps to establish a permanent, full-time GIS program specialist position and to provide adequate support to develop a coordinated, integrated GIS program for Alabama's coastal area that could eliminate duplication of effort and lack of data standards and ultimately improve decision-making. A status report on these efforts should be included in each performance report submitted to OCRM.

A GIS Technician currently splits her time between ACAMP and WBNERR.

#6. PROGRAM SUGGESTION: ADECA and ADEM Coastal Programs should develop a strategy and timeline to address the revision of the Division Eight Administrative Code. A working group composed of ADEM and ADECA Coastal Programs staff should be assembled to address the various aspects of this task. Finally, the revised Division Eight Administrative Code should be incorporated into the ACAMP as an appendix when submitted to OCRM as a proposed program change.

The ADEM Division Eight Administrative Code was not revised during the review period.

#7. PROGRAM SUGGESTION: ADECA is encouraged to re-establish the small purchase authority previously approved for ADECA Coastal Program staff for basic office and programmatic items necessary to conduct ACAMP activities.

ADCNR's establishment of small purchases capability for ACAMP is described in §V-C-3.

#8. PROGRAM SUGGESTION: ACAMP is encouraged to continue its efforts to provide for public access to the coast through the development of the Comprehensive Coastal Public Access Plan and Strategy and its subsequent implementation.

The Comprehensive Coastal Public Access Plan was completed and implemented. §III-C-8 describes several projects that ACAMP has supported to promote public access during the review period.

#9. PROGRAM SUGGESTION: ADECA and ADEM Coastal Programs should investigate the opportunities to enhance the visibility of its field offices and ACAMP. One way to accomplish this would be to invest in the development of web sites that describe ACAMP and its mission and activities. Multiple linkages should be developed between ADECA, ADEM and OCRM websites.

ACAMP's efforts to raise visibility during the review period are described in §V-C-5. Some linkages between ADCNR, ADEM and OCRM websites exist, but they are not multiple or comprehensive.

2. WBNERR Response to 1999 Evaluation Findings

#1. PROGRAM SUGGESTION: ADECA and WBNERR should develop a mechanism whereby ADECA staff in Montgomery are kept aware of reserve operations and gain a greater understanding of the reserve's unique needs. This could include conducting an annual meeting at the reserve for the Montgomery staff and the appointment of a contact person to work more closely on reserve financial matters.

ADCNR assumed primary administrative responsibility for WBNERR in 2000. A suggestion for ACAMP and WBNERR to work with all points along ADCNR's chain of command so that there is a consistent and clear understanding of the scope mission and unique features of each program is described in §V-C-2.

#2. NECESSARY ACTION: (A). ADECA and WBNERR must make the research program a priority, including the recruitment and hiring of a qualified person to serve as a Research Coordinator. This staff role must be filled within three months of receipt of final findings. (B). ADECA and WBNERR must develop a funding plan to support the Research Coordinator as a full-time state employee. This plan must be developed within one year of receipt of final findings. All efforts to fill this position must be documented in the required performance reports.

WBNERR's hiring of a Research Coordinator and other staff is described in §IV-C-1-a.

#3. PROGRAM SUGGESTION: ADECA and WBNERR are encouraged to make the Watershed Coordinator a permanent, state-funded position. They should also evaluate staffing needs to better accommodate Education Program initiatives.

The Watershed Coordinator has not been converted into a permanent, state-funded position. This issue is discussed in §IV-C-4-b.

#4. NECESSARY ACTION: ADECA and the WBNERR must comply with the NERRS regulations (Section 921.33(a)) for land acquisition and boundary expansion activities. They must complete the federally-funded land acquisition by the expiration of the financial assistance award on September 30, 1999.

WBNERR's land acquisition during the review period is described in §IV-C-1-f.

#5. NECESSARY ACTION: WBNERR must implement its Research and Monitoring Program, as described in the revised management plan, within three months of receipt of final findings.

The implementation of WBNERR's Research and Monitoring Program is discussed in §IV-C-2.

#6. NECESSARY ACTION: ADECA and WBNERR must complete the data acquisition and peer review, publication and dissemination of the site profile within one year of hiring the Research Coordinator.

The completion of WBNERR's site profile is described in §IV-C-2-c.

#7. PROGRAM SUGGESTION: ADECA and WBNERR should develop an equipment and capital improvement plan that includes options for funding the various needs of the reserve.

ADECA and WBNERR did not develop an equipment and capital improvement plan that includes options for funding the various needs of the reserve. As described in §IV-B, ADCNR assumed primary administrative responsibility for the reserve in 2000.

#8. PROGRAM SUGGESTION: ADECA and WBNERR should improve their communications with the Baldwin County Board of Education to ensure that the Board is more aware of what the reserve and the Education Coordinator are doing. ADECA and WBNERR should also work with the Board to develop a plan to provide additional financial support to the reserve's Education Program.

ADECA, WBNERR and the Baldwin County Board of Education did not develop a plan to provide additional financial support to the reserve's Education Program. As described in §IV-B, ADCNR assumed primary administrative responsibility for the reserve in 2000.

#9. NECESSARY ACTION: WBNERR and ADECA must improve procedures to ensure that all required performance reports are submitted on time. This must begin with the first required performance report following receipt of final findings.

WBNERR's timely completion of performance reports is described in §V-C-3.

#10. PROGRAM SUGGESTION: ADECA is encouraged to re-establish the small purchase authority previously approved for WBNERR staff, especially for emergencies and other unforeseen circumstances. At the very least, ADECA is encouraged to identify a point of contact between WBNERR and ADECA to facilitate the purchasing needs of the reserve.

ADCNR's establishment of small purchases capability for WBNERR is described in §V-C-3.

#11. PROGRAM SUGGESTION: ADECA and WBNERR should pursue the development of a Memorandum of Understanding with ADCNR to ensure continued good cooperation between the two agencies for activities in submerged lands within the reserve.

ADECA and ADCNR did not develop a Memorandum of Understanding to ensure continued good cooperation between the two agencies for activities in submerged lands within the reserve. As described in §IV-B, ADCNR assumed primary administrative responsibility for the reserve in 2000.

APPENDIX B. PERSONS AND INSTITUTIONS CONTACTED

ACAMP and WBNERR Representatives

Name	Title	Affiliation
L.G. Adams	Manager	WBNERR
Eric Brunden	Research Assistant	WBNERR
Hank Burch	Natural Resource Planner	ACAMP
Richard Coram	Watershed Assistant	WBNERR
Janis Helton	Planning and Economic Development Specialist	ACAMP and WBNERR
Phillip Hinesley	Manager	ACAMP
Sarah Johnston	GIS Technician	ACAMP and WBNERR
Jeff Jordan	Planning and Economic Development Specialist	ACAMP
Amy King	Public Education and Outreach Coordinator	ACAMP
Linda McCool	Administrative Support Assistant	ACAMP
Bob McCormack	Stewardship Coordinator	WBNERR
Maureen Nation	Volunteer Coordinator	WBNERR
Sharon Nobles	Accounting Technician	ACAMP and WBNERR
Cathy Pembroke	Administrative Support Assistant	WBNERR
Scott Phipps	Research Coordinator	WBNERR
Diana Quinn	Laborer	WBNERR
Margaret Sedlecky	Education Coordinator	WBNERR
Mike Shelton	Weeks Bay Watershed Coordinator	WBNERR

WBNERR Advisory Committee Representatives

Name	Title	Affiliation
Kevin Anson		WBNERR Advisory Committee
Steve Baker		WBNERR Advisory Committee
Mike Dardeau		WBNERR Advisory Committee
Pam Henson		WBNERR Advisory Committee
Steve McMillan		WBNERR Advisory Committee
Lloyd Scott		WBNERR Advisory Committee

State of Alabama Representatives

Name	Title	Affiliation
James Griggs	State Lands Director	ADCNR
M. Barnett Lawley	Commissioner	ADCNR
Greg Lein	Assistant State Lands Director	ADCNR
Scott Brown	Program Chief	ADEM

John Carlton	Chief	ADEM Mobile Field Office
Carl Ferraro	Environmental Scientist	ADEM
Randy Shaneyfelt		ADEM
Leslie Turney		ADEM
James Warr	Director	ADEM

Federal Agency Representatives

Name	Title	Affiliation
Barbara Allen		USDOI, Fish and Wildlife Service
Lyne Askins	Director	USDOI, Bon Secour National Wildlife Refuge
Davis Finley		USACE, Mobile District
Larry Parson		USACE, Mobile District
Susan Rees		USACE, Mobile District
David Yeager	Director	USEPA Mobile Bay National Estuary Program

Local Government Representatives

Name	Title	Affiliation
Steve Foote	Director of Community Development	City of Gulf Shores
Chuck Hamilton	Director of Public Works	City of Gulf Shores
Phillip West	Environmental Planner	City of Orange Beach
Tina Sanchez	Director, Environmental Planning Department	South Alabama Regional Planning Commission

Academic Representatives

Name	Title	Affiliation
Jody Scanlan	Watershed Coordinator	Auburn University, Marine Extension
Rick Wallace	Director	Auburn University, Marine Extension
Cherie Arceneaux	Coastal Planner	Dauphin Island Sea Lab
George Crozier	Executive Director	Dauphin Island Sea Lab
LaDon Swann	Director	Mississippi-Alabama Sea Grant

WBNERR Foundation Representatives

Name	Title	Affiliation
Carey Bentley		
John Borom		
Walter Ernest	Executive Director	
Skipper Tonsmeire		Weeks Bay Reserve Foundation

Other Individuals

Name	Title	Affiliation
Joan Bentz		WBNERR Volunteer
Bill Gonzalez		WBNERR Volunteer
Gena Todia	President	Wetland Resources

APPENDIX C. PERSONS ATTENDING PUBLIC MEETINGS

1. Persons Attending ACAMP Public Meeting

NAME
George Crozier
Brian Grantham
Eva Golson
Mark Van Hoose

2. Persons Attending WBNERR Public Meeting

NAME
Shelley Arnold
Dean Bushnell
Don Druse
Winfred Helton
Joni NoLetto
Van NoLetto
Mike Park
Willie Paul
David Rice
Dennis Rice
Tony Ros
Bonnie Stahlman
Charlie Stahlman

APPENDIX D. NOAA'S RESPONSE TO WRITTEN COMMENTS

NOAA received one set of written comments regarding ACAMP. The comments are summarized below and followed by NOAA's response. NOAA did not receive any written comments regarding WBNERR.

Chris Oynes, Regional Director
Gulf of Mexico Outer Continental Shelf Region
Minerals Management Service
New Orleans, Louisiana

Comment: Mr. Oynes writes that he has found ACAMP's implementation of its approved program to be positive and constructive. He notes that in anticipation of NOAA's publication of the revised Federal Consistency Regulations on January 8, 2001, the Minerals Management Service (MMS) began a more intensive consultation process with the State of Alabama to improve, update and streamline its regulatory procedures. MMS met with ACAMP several times to discuss coastal zone management requirements and processes for federal activities, permits and outer continental shelf plans. As a result of the dialogue, ACAMP identified specific required information for its enforceable policies and established a process for a presumed concurrence agreement that has significantly expedited a large number of outer continental shelf plan filings. Mr. Oynes concludes that MMS plans to continue its successful dialogue with the State of Alabama for further improvements and streamlining of mutual programs.

NOAA's Response: As described in these findings, NOAA is impressed with ACAMP's coordination with its partners. NOAA encourages such coordination to continue. No further response is necessary.